

109TH CONGRESS  
1ST SESSION

# H. R. 2876

To reauthorize the Violence Against Women Act of 1994.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2005

Mr. GREEN of Wisconsin (for himself, Mr. CONYERS, Ms. PRYCE of Ohio, Ms. GINNY BROWN-WAITE of Florida, Ms. SOLIS, Mr. REICHERT, Ms. HART, Mr. BOUSTANY, Mr. MICHAUD, Mr. FOLEY, Mr. POE, Mrs. MALONEY, Mrs. CAPITO, Ms. DELAURO, Mrs. CAPPS, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To reauthorize the Violence Against Women Act of 1994.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Violence Against  
5 Women Reauthorization Act of 2005”.

### 6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Grant provisions for Violence Against Women Act of 1994.

# TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

Sec. 101. STOP grants improvements.

Sec. 102. Grants to encourage arrest and enforce protection orders improvements.

Sec. 103. Legal assistance for victims improvements.

Sec. 104. Court training and improvements.

Sec. 105. Full faith and credit improvements.

Sec. 106. Privacy protections for victims of domestic violence, dating violence, sexual violence, and stalking.

Sec. 107. Stalker database.

Sec. 108. Victim assistants for District of Columbia.

Sec. 109. Preventing cyberstalking.

Sec. 110. Repeat offender provision.

Sec. 111. Prohibiting dating violence.

# TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 201. Violence Against Women programs.

Sec. 202. Sexual assault services program.

Sec. 203. Amendments to the rural domestic violence and child abuse enforcement assistance program.

Sec. 204. Assistance for victims of abuse.

Sec. 205. GAO study of National Domestic Violence Hotline.

Sec. 206. Grants for public information campaigns.

# TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

Sec. 301. Rape prevention and education.

Sec. 302. Services, education, protection and justice for young victims of violence.

Sec. 303. Grants to reduce violence against women on campus.

Sec. 304. Safe havens.

Sec. 305. Grants to combat domestic violence, dating violence, sexual assault, and stalking in middle and high schools.

# TITLE IV—STRENGTHENING AMERICA'S FAMILIES BY PREVENTING VIOLENCE IN THE HOME

Sec. 401. Preventing violence against women, men, and children.

# TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RE- SPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 501. Purpose.

Sec. 502. Training and education of health professionals in domestic and sexual violence.

Sec. 503. Grants to foster public health responses to domestic violence, dating violence, sexual assault, and stalking grants.

- Sec. 504. Improving Federal health programs' response to domestic violence, dating violence, sexual assault, and stalking.
- Sec. 505. Research on effective interventions in the healthcare setting.

#### TITLE VI—HOUSING OPPORTUNITIES AND SAFETY FOR BATTERED WOMEN AND CHILDREN

- Sec. 601. Addressing the housing needs of victims of domestic violence, dating violence, sexual assault, and stalking.
- Sec. 602. Transitional housing assistance grants for victims of domestic violence, dating violence, sexual assault, or stalking.
- Sec. 603. Public and Indian housing authority plans reporting requirement.
- Sec. 604. Housing strategies.
- Sec. 605. Amendment to the McKinney-Vento Homeless Assistance Act.
- Sec. 606. Amendments to the low income housing assistance voucher program.
- Sec. 607. Amendments to the public housing program.

#### TITLE VII—PROVIDING ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

- Sec. 701. Emergency leave.

#### TITLE VIII—PROTECTION FOR IMMIGRANT VICTIMS OF VIOLENCE

- Sec. 800. Short title; references to VAWA–2000; regulations.

##### Subtitle A—Victims of Crime

- Sec. 801. Conditions applicable to U and T visas.

##### Subtitle B—VAWA Petitioners

- Sec. 811. Definition of VAWA petitioner.
- Sec. 812. Self-petitioning for children.
- Sec. 813. Access to VAWA protection for children of asylum applicants under adjustment provisions.
- Sec. 814. Eliminating abusers' control over applications for adjustments of status.
- Sec. 815. Clarification of access to naturalization for victims of domestic violence.
- Sec. 816. Prohibition of adverse determinations of admissibility or deportability based on protected information.

##### Subtitle C—Miscellaneous Provisions

- Sec. 831. Removing 2 year custody requirement for battered adopted children.
- Sec. 832. Grounds for hardship waiver for conditional permanent residence for intended spouses.
- Sec. 833. Motions to reopen.
- Sec. 834. Treatment of battery or extreme cruelty as exceptional circumstances for failure to appear at removal proceedings.

#### TITLE IX—SAFETY FOR INDIAN WOMEN

- Sec. 901. Purposes.
- Sec. 902. Consultation.
- Sec. 903. Analysis and research on violence against Indian women.

Sec. 904. Tracking of violence against Indian women.

Sec. 905. Tribal Division of the Office on Violence Against Women.

**1 SEC. 3. GRANT PROVISIONS FOR VIOLENCE AGAINST**  
**2 WOMEN ACT OF 1994.**

3 The Violence Against Women Act of 1994 (108 Stat.  
 4 1902 et seq.) is amended by adding after section 40001  
 5 the following:

**6 “SEC. 40002. GRANT PROVISIONS.**

7 “(a) GRANT CONDITIONS.—

8 “(1) NONDISCLOSURE OF CONFIDENTIAL OR  
 9 PRIVATE INFORMATION.—

10 “(A) IN GENERAL.—In order to ensure the  
 11 safety of adult and minor victims of domestic  
 12 violence, dating violence, sexual assault, or  
 13 stalking, and their families, grantee and sub-  
 14 grantees under this title shall reasonably pro-  
 15 tect the confidentiality and privacy of persons  
 16 receiving services.

17 “(B) NONDISCLOSURE.—Subject to sub-  
 18 paragraph (C), grantees and subgrantees  
 19 should not—

20 “(i) disclose any personally identifying  
 21 information or individual information col-  
 22 lected in connection with services re-  
 23 quested, utilized, or denied through grant-  
 24 ees’ and subgrantees’ programs; or

1 “(ii) reveal individual client informa-  
2 tion without the informed, written, reason-  
3 ably time-limited consent of the person (or  
4 in the case of an unemancipated minor, the  
5 minor and the parent or guardian or in the  
6 case of persons with disabilities, the guard-  
7 ian) about whom information is sought,  
8 whether for this program or any other  
9 Federal, State, tribal, or territorial grant  
10 program.

11 “(C) RELEASE.—If release of information  
12 described in subparagraph (B) is compelled by  
13 statutory or court mandate—

14 “(i) grantees and subgrantees shall  
15 make reasonable attempts to provide notice  
16 to victims affected by the disclosure of in-  
17 formation; and

18 “(ii) grantees and subgrantees shall  
19 take steps necessary to protect the privacy  
20 and safety of the persons affected by the  
21 release of the information.

22 “(D) INFORMATION SHARING.—Grantees  
23 and subgrantees may share—

24 “(i) nonpersonally identifying data in  
25 the aggregate regarding services to their

1 clients and nonpersonally identifying demo-  
2 graphic information in order to comply  
3 with Federal, State, tribal, or territorial  
4 reporting, evaluation, or data collection re-  
5 quirements; and

6 “(ii) court-generated information and  
7 law-enforcement generated information  
8 contained in secure, governmental reg-  
9 istries for protection order enforcement  
10 purposes.

11 “(2) APPROVED ACTIVITIES.—In carrying out  
12 the activities under this title, grantees and sub-  
13 grantees may collaborate with and provide informa-  
14 tion to Federal, State, local, tribal, and territorial  
15 public officials and agencies to develop and imple-  
16 ment policies to reduce or eliminate domestic vio-  
17 lence, dating violence, sexual assault, and stalking.

18 “(3) NON-SUPPLANTATION.—Any Federal  
19 funds received under this title shall be used to sup-  
20 plement, not supplant, non-Federal funds that would  
21 otherwise be available for activities under this title.

22 “(4) USE OF FUNDS.—Funds authorized and  
23 appropriated under this title may be used only for  
24 the specific purposes described in this title and shall  
25 remain available until expended.

1           “(5) EVALUATION.—Grantees under this Act  
2           must collect data for use to evaluate the effective-  
3           ness of the program, pursuant to the requirements  
4           described in paragraph (1)(D).

5           “(6) UNDERSERVED POPULATION.—For each  
6           grant program under this Act, the grantee must  
7           identify the underserved population for their area  
8           and program. The grantor must ensure that suffi-  
9           cient funds are given to programs that will address  
10          the underserved populations within the grant pro-  
11          gram. Underserved populations will change depend-  
12          ing on the program but will include but not be lim-  
13          ited to rural, urban, religious, race and ethnic fac-  
14          tors, language barriers, disabilities, alienage status,  
15          age, or any other factor determined by the Attorney  
16          General to indicate that a population is underserved.

17          “(7) COMMUNITY-BASED ORGANIZATION DE-  
18          FINED.—In this title, the term ‘community-based or-  
19          ganization’ means an organization that—

20                 “(A) focuses primarily on violence against  
21                 women;

22                 “(B) has established a specialized cul-  
23                 turally specific program that addresses violence  
24                 against women;

1 “(C) has a primary focus on underserved  
 2 communities (and includes representatives from  
 3 these communities) and violence against women;  
 4 or

5 “(D) obtains violence against women ex-  
 6 pertise through collaboration.”.

7 **TITLE I—ENHANCING JUDICIAL**  
 8 **AND LAW ENFORCEMENT**  
 9 **TOOLS TO COMBAT VIOLENCE**  
 10 **AGAINST WOMEN**

11 **SEC. 101. STOP GRANTS IMPROVEMENTS.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
 13 1001(a)(18) of title I of the Omnibus Crime Control and  
 14 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(8)) is  
 15 amended by striking “\$185,000,000 for each of fiscal  
 16 years 2001 through 2005” and inserting “\$225,000,000  
 17 for each of fiscal years 2006 through 2010”.

18 (b) PURPOSE AREA ENHANCEMENTS.—Section  
 19 2001(b) of title I of the Omnibus Crime Control and Safe  
 20 Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended—

21 (1) by striking “and specifically, for the pur-  
 22 poses of—” and inserting “, including collaborating  
 23 with and informing public officials and agencies in  
 24 order to develop and implement policies to reduce or  
 25 eliminate domestic violence, dating violence, sexual



1 assault, and stalking, and specifically only for the  
2 purposes of—”;

3 (2) in paragraph (5), by inserting after “protec-  
4 tion orders are granted,” the following: “supporting  
5 nonprofit nongovernmental victim services programs  
6 and tribal organizations in working with public offi-  
7 cials and agencies to develop and implement policies,  
8 rules, and procedures in order to reduce or eliminate  
9 domestic violence, dating violence, sexual assault,  
10 and stalking,”;

11 (3) in paragraph (10), by striking “and” after  
12 the semicolon;

13 (4) in paragraph (11), by striking the period  
14 and inserting “; and”; and

15 (5) by adding at the end the following:

16 “(12) maintaining core victim services and  
17 criminal justice initiatives, while supporting com-  
18plementary new initiatives and emergency services  
19 for victims and their families.”.

20 (c) TECHNICAL AMENDMENT RELATING TO  
21 MISDESIGNATED SECTIONS.—

22 (1) RENUMBERING.—Section 402(2) of Public  
23 Law 107–273 (116 Stat. 1789) is amended by strik-  
24 ing “as sections 2006 through 2011, respectively”

1 and inserting “as sections 2007 through 2011, re-  
2 spectively”.

3 (2) EFFECTIVE DATE.—The amendment made  
4 by paragraph (1) shall take effect on the date of en-  
5 actment of Public Law 107–273.

6 (d) CLARIFICATION OF ACTIVITIES REGARDING UN-  
7 DERSERVED POPULATIONS.—Section 2006 of the Omni-  
8 bus Crime Control and Safe Streets Act of 1968 (42  
9 U.S.C. 3796gg–1) is amended—

10 (1) in subsection (c)(2), by inserting before the  
11 semicolon the following: “and describe how the State  
12 will address the needs of racial and ethnic minorities  
13 and racial and ethnic and other underserved popu-  
14 lations”; and

15 (2) in subsection (e)(2), by striking subpara-  
16 graph (D) and inserting the following:

17 “(D) recognize and meaningfully respond  
18 to the needs of racial and ethnic and other un-  
19 derserved populations and ensure that monies  
20 set aside to fund services and activities for ra-  
21 cial and ethnic and other underserved popu-  
22 lations are distributed equally among those popu-  
23 lations.”.

24 (e) TRIBAL AND TERRITORIAL SETASIDES.—Section  
25 2007 of the Omnibus Crime Control and Safe Streets Act

1 of 1968 (42 U.S.C. 3796gg-1), as redesignated by sub-  
2 section (c), is amended—

3 (1) in subsection (b)—

4 (A) in paragraph (1), by striking “5 per-  
5 cent” and inserting “10 percent”;

6 (B) in paragraph (2), by striking “ $\frac{1}{54}$ ”  
7 and inserting “ $\frac{1}{56}$ ”;

8 (C) in paragraph (3), by striking “and the  
9 coalition for the combined Territories of the  
10 United States, each receiving an amount equal  
11 to  $\frac{1}{54}$ ” and inserting “Guam, American Samoa,  
12 the United States Virgin Islands, and the Com-  
13 monwealth of the Northern Mariana Islands,  
14 each receiving an amount equal to  $\frac{1}{56}$ ”;

15 (D) in paragraph (4), by striking “ $\frac{1}{54}$ ”  
16 and inserting “ $\frac{1}{56}$ ”;

17 (E) in paragraph (5), by striking “and”  
18 after the semicolon;

19 (F) in paragraph (6), by striking the pe-  
20 riod and inserting “; and”; and

21 (G) by adding at the end:

22 “(7) such funds shall remain available until ex-  
23 pended.”;

24 (2) in subsection (c)(3)(B), by inserting after  
25 “victim services” the following: “, of which at least

1       10 percent shall be distributed to culturally specific  
2       community-based organizations”; and

3               (3) in subsection (d)—

4                       (A) in paragraph (2), by striking “and”  
5       after the semicolon;

6                       (B) in paragraph (3), by striking the pe-  
7       riod and inserting “; and”; and

8                       (C) by adding at the end the following:

9               “(4) documentation showing that tribal, terri-  
10      torial, State or local prosecution, law enforcement,  
11      and court and victim service provider subgrantees  
12      have consulted with tribal, territorial, State, or local  
13      victim services programs during the course of devel-  
14      oping their grant applications in order to ensure  
15      that proposed services, activities and equipment ac-  
16      quisitions are designed to promote the safety, con-  
17      fidentiality, and economic independence of victims of  
18      domestic violence, sexual assault, stalking, and dat-  
19      ing violence.”.

20       (f) TRAINING, TECHNICAL ASSISTANCE, AND DATA  
21      COLLECTION.—Section 2007 of the Omnibus Crime Con-  
22      trol and Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
23      1), as redesignated by subsection (c), is amended by add-  
24      ing at the end the following:

1       “(i) TRAINING, TECHNICAL ASSISTANCE, AND DATA  
2 COLLECTION.—

3               “(1) IN GENERAL.—Of the total amounts ap-  
4 propriated under this part, not less than 3 percent  
5 and up to 8 percent shall be available for providing  
6 training, technical assistance, and data collection re-  
7 lating to the purpose areas of this part to improve  
8 the capacity of grantees, subgrantees and other enti-  
9 ties to offer services and assistance to victims of do-  
10 mestic violence, sexual assault, stalking, and dating  
11 violence.

12               “(2) INDIAN TRAINING.—The Director of the  
13 Violence Against Women Office shall ensure that  
14 training or technical assistance regarding violence  
15 against Indian women will be developed and pro-  
16 vided by entities having expertise in tribal law and  
17 culture.”.

18       (g) AVAILABILITY OF FORENSIC MEDICAL EXAMS.—  
19 Section 2010 of the Omnibus Crime Control and Safe  
20 Streets Act of 1968 (42 U.S.C. 3796gg-4), as redesi-  
21 gnated by subsection (c), is amended by adding at the end  
22 the following:

23               “(c) USE OF FUNDS.—A State or Indian tribal gov-  
24 ernment may use Federal grant funds under this part to  
25 pay for forensic medical exams performed by trained ex-

1 ainers for victims of sexual assault, except that such  
2 funds may not be used to pay for forensic medical exams  
3 by any State or Indian tribal government that requires  
4 victims of sexual assault to seek reimbursement for such  
5 exams from their insurance carriers.

6 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
7 tion shall be construed to permit a State to require a vic-  
8 tim of sexual assault to participate in the criminal justice  
9 system or cooperate with law enforcement in order to be  
10 provided with a forensic medical exam, reimbursement for  
11 charges incurred on account of such an exam, or both.”.

12 (h) POLYGRAPH TESTING PROHIBITION.—Part T of  
13 title I of the Omnibus Crime Control and Safe Streets Act  
14 of 1968 (42 U.S.C. 3796gg et seq.) is amended by adding  
15 at the end the following new section:

16 **“SEC. 2012. POLYGRAPH TESTING PROHIBITION.**

17 “In order to be eligible for grants under this part,  
18 a State, Indian tribal government, or unit of local govern-  
19 ment must certify within three years of enactment of the  
20 Violence Against Women Reauthorization Act of 2005  
21 that their laws, policies, or practices ensure that no law  
22 enforcement officer, prosecuting officer or other govern-  
23 ment official shall ask or require an adult or child victim  
24 of a sex offense as defined under Federal, Tribal, State,  
25 Territorial or local law to submit to a polygraph examina-

1 tion or similar truth-telling device or method as a condi-  
 2 tion for proceeding with the investigation, charging or  
 3 prosecution of such an offense. A victim’s refusal to sub-  
 4 mit to the aforementioned shall not prevent the investiga-  
 5 tion, charging or prosecution of the pending case.”.

6 (i) NO MATCHING REQUIREMENT.—Part T of title  
 7 I of the Omnibus Crime Control and Safe Streets Act of  
 8 1968 (42 U.S.C. 3796gg et seq.) is amended by adding  
 9 at the end the following new section:

10 **“SEC. 2013. NO MATCHING REQUIREMENT FOR CERTAIN**  
 11 **GRANTEES.**

12 “No matching funds shall be required for a grant or  
 13 subgrant made under this part, if made to a small law  
 14 enforcement agency (under 20 officers) or to a victim serv-  
 15 ice provider.”.

16 **SEC. 102. GRANTS TO ENCOURAGE ARREST AND ENFORCE**  
 17 **PROTECTION ORDERS IMPROVEMENTS.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
 19 1001(a)(19) of title I of the Omnibus Crime Control and  
 20 Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is  
 21 amended by striking “\$65,000,000 for each of fiscal years  
 22 2001 through 2005” and inserting “\$75,000,000 for each  
 23 of fiscal years 2006 through 2010. Funds appropriated  
 24 under this paragraph shall remain available until ex-  
 25 pended.”.

1 (b) GRANTEE REQUIREMENTS.—Section 2101 of the  
2 Omnibus Crime Control and Safe Streets Act of 1968 (42  
3 U.S.C. 3796hh) is amended—

4 (1) in subsection (a), by striking “to treat do-  
5 mestic violence as a serious violation” and inserting  
6 “to treat domestic violence, dating violence, sexual  
7 assault, and stalking as serious violations”;

8 (2) in subsection (b)—

9 (A) in the matter before paragraph (1), by  
10 inserting after “State” the following: “, tribal,  
11 territorial,”;

12 (B) in paragraph (1), by striking “manda-  
13 tory arrest or”;

14 (C) in paragraph (2), by—

15 (i) inserting after “educational pro-  
16 grams,” the following: “protection order  
17 registries,”;

18 (ii) striking “domestic violence and  
19 dating violence” and inserting “domestic  
20 violence, dating violence, sexual assault,  
21 and stalking. Policies, educational pro-  
22 grams, registries, and training described in  
23 this paragraph shall incorporate confiden-  
24 tiality and privacy protections for victims



1 of domestic violence, dating violence, sexual  
2 assault, and stalking”;

3 (D) in paragraph (3), by—

4 (i) striking “domestic violence cases”  
5 and inserting “domestic violence, dating violence,  
6 sexual assault, and stalking cases”;  
7 and

8 (ii) striking “groups” and inserting  
9 “teams”;

10 (E) in paragraph (5), by striking “domestic  
11 violence and dating violence” and inserting  
12 “domestic violence, dating violence, sexual assault,  
13 and stalking”;

14 (F) in paragraph (6), by—

15 (i) striking “other” and inserting  
16 “civil”; and

17 (ii) inserting after “domestic violence”  
18 the following: “, dating violence, sexual assault,  
19 and stalking”; and

20 (G) by adding at the end the following:

21 “(9) To enhance and support the capacity of  
22 victims services programs to collaborate with and inform  
23 efforts by State and local jurisdictions and  
24 public officials and agencies to develop best practices  
25 and policies regarding arrest of domestic violence,

1 dating violence, sexual assault, and stalking offend-  
2 ers and to strengthen protection order enforcement  
3 and to reduce or eliminate domestic violence, dating  
4 violence, sexual assault, and stalking.

5 “(10) To develop State, tribal, territorial, or  
6 local policies, procedures, and protocols for pre-  
7 venting dual arrests and prosecutions in cases of do-  
8 mestic violence, dating violence, sexual assault, and  
9 stalking and to develop effective methods for identi-  
10 fying the pattern and history of abuse that indicates  
11 which party is the actual perpetrator of abuse.

12 “(11) To plan, develop and establish com-  
13 prehensive victim service and support centers, such  
14 as family justice centers, designed to bring together  
15 victim advocates from non-profit, non-governmental  
16 victim services organizations, law enforcement offi-  
17 cers, prosecutors, probation officers, governmental  
18 victim assistants, forensic medical professionals, civil  
19 legal attorneys, chaplains, legal advocates, represent-  
20 atives from community-based organizations and  
21 other relevant public or private agencies or organiza-  
22 tions into one centralized location, in order to im-  
23 prove safety, access to services, and confidentiality  
24 for victims and families.

1           “(12) To develop and implement policies and  
2           training for police, prosecutors, and the judiciary in  
3           recognizing, investigating, and prosecuting instances  
4           of sexual assault, with an emphasis on recognizing  
5           the threat to the community for repeat crime per-  
6           petration by such individuals.”;

7           (3) in subsection (c)—

8                 (A) in paragraph (3), by striking “and”  
9           after the semicolon;

10                (B) in paragraph (4), by striking the pe-  
11           riod and inserting “; and”; and

12                (C) by adding at the end the following:

13           “(5) certify within three years of enactment of  
14           the Violence Against Women Reauthorization Act of  
15           2005 that their laws, policies, or practices ensure  
16           that—

17                 “(A) no law enforcement officer, pros-  
18           ecuting officer or other government official shall  
19           ask or require an adult or child victim of a sex  
20           offense as defined under Federal, tribal, State,  
21           territorial, or local law to submit to a polygraph  
22           examination or other truth telling device as a  
23           condition for proceeding with the investigation,  
24           charging or prosecution of such an offense; and

1           “(B) the refusal of a victim to submit to  
 2           an examination described in subparagraph (A)  
 3           shall not prevent the investigation, charging or  
 4           prosecution of the offense.”; and

5           (4) by striking subsections (d) and (e) and in-  
 6           serting the following:

7           “(d) ALLOTMENT FOR INDIAN TRIBES.—Not less  
 8           than 10 percent of the total amount made available for  
 9           grants under this section for each fiscal year shall be avail-  
 10          able for grants to Indian tribe governments.”.

11          (c) APPLICATIONS.—Section 2102(b) of the Omnibus  
 12          Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 13          3796hh–1(b)) is amended in each of paragraphs (1) and  
 14          (2) by inserting after “involving domestic violence” the fol-  
 15          lowing: “, dating violence, sexual assault, or stalking”.

16          (d) TRAINING, TECHNICAL ASSISTANCE, CONFIDEN-  
 17          TIALITY.—Part U of title I of the Omnibus Crime Control  
 18          and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.)  
 19          is amended by adding at the end the following:

20          **“SEC. 2106. TRAINING AND TECHNICAL ASSISTANCE.**

21                 “Of the total amounts appropriated under this part,  
 22                 not less than 5 percent and up to 8 percent shall be avail-  
 23                 able for providing training, technical assistance, and data  
 24                 collection relating to the purpose areas of this part to im-  
 25                 prove the capacity of grantees, subgrantees and other enti-

1 ties to offer services and assistance to victims of domestic  
2 violence and dating violence.”.

3 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS IMPROVE-**  
4 **MENTS.**

5 Section 1201 of the Violence Against Women Act of  
6 2000 (42 U.S.C. 3796gg–6) is amended—

7 (1) in subsection (a), by—

8 (A) inserting before “legal assistance” the  
9 following: “civil and criminal”;

10 (B) inserting after “effective aid to” the  
11 following: “adult and minor”;

12 (C) striking “domestic violence, stalking,  
13 or sexual assault” and inserting “domestic vio-  
14 lence, dating violence, sexual assault, or stalk-  
15 ing”; and

16 (D) inserting at the end the following:  
17 “The Attorney shall use funds appropriated  
18 under this section only for the purposes de-  
19 scribed in subsection (c).”;

20 (2) in subsection (c), by striking “private non-  
21 profit entities, Indian tribal governments” and in-  
22 serting “nonprofit, nongovernmental organizations,  
23 Indian tribal governments and tribal organizations,  
24 territorial organizations”;

1           (3) in paragraphs (1), (2), and (3) of sub-  
2           section (c), by striking “victims of domestic violence,  
3           sexual assault, and stalking” wherever it appears  
4           and inserting “victims of domestic violence, dating  
5           violence, sexual assault, and stalking”;

6           (4) in subsection (d)—

7                 (A) in paragraph (1), by striking “domes-  
8                 tic violence or sexual assault” and inserting  
9                 “domestic violence, dating violence, sexual as-  
10                sault, or stalking”;

11               (B) by striking paragraphs (2) and (3) and  
12               inserting the following:

13               “(2) any training program conducted in satis-  
14               faction of the requirement of paragraph (1) has been  
15               or will be developed with input from and in collabo-  
16               ration with a tribal, State, territorial, or local do-  
17               mestic violence, dating violence, sexual assault or  
18               stalking organization or coalition, as well as appro-  
19               priate tribal, State, territorial, and local law enforce-  
20               ment officials;

21               “(3) any person or organization providing legal  
22               assistance through a program funded under sub-  
23               section (c) has informed and will continue to inform  
24               tribal, State, territorial, or local domestic violence,  
25               dating violence, sexual assault or stalking organiza-

1 tions and coalitions, as well as appropriate tribal,  
2 State, territorial, and local law enforcement officials  
3 of their work; and”; and

4 (C) in paragraph (4), by inserting “dating  
5 violence,” after “domestic violence,”;

6 (5) in subsection (e), by inserting “dating vio-  
7 lence,” after “domestic violence,”; and

8 (6) in subsection (f)—

9 (A) by striking paragraph (1) and insert-  
10 ing the following:

11 “(1) IN GENERAL.—There is authorized to be  
12 appropriated to carry out this section \$65,000,000  
13 for each of fiscal years 2006 through 2010. Funds  
14 appropriated under this section shall remain avail-  
15 able until expended and may only be used for the  
16 specific programs and activities described in this sec-  
17 tion.”; and

18 (B) in paragraph (2)—

19 (i) in subparagraph (A), by—

20 (I) striking “5 percent” and in-  
21 serting “10 percent”;

22 (II) striking “programs” and in-  
23 serting “tribal governments or tribal  
24 organizations”;

1 (III) inserting “adult and minor”  
2 after “that assist”; and

3 (IV) striking “domestic violence,  
4 stalking, and sexual assault” and in-  
5 serting “domestic violence, dating vio-  
6 lence, sexual assault, and stalking”;  
7 and

8 (ii) in subparagraph (B), by striking  
9 “technical assistance to support projects  
10 focused solely or primarily on providing  
11 legal assistance to victims of sexual as-  
12 sault” and inserting “technical assistance  
13 in civil and crime victim matters to adult  
14 and minor victims of sexual assault”.

15 **SEC. 104. COURT TRAINING AND IMPROVEMENTS.**

16 The Violence Against Women Act of 1994 (108 Stat.  
17 1902 et seq.) is amended by adding at the end the fol-  
18 lowing:

19 **“Subtitle J—Violence Against**  
20 **Women Act Court Training and**  
21 **Improvements**

22 **“SEC. 41001. SHORT TITLE.**

23 “This subtitle may be cited as the ‘Violence Against  
24 Women Act Court Training and Improvements Act of  
25 2005’.



1 **“SEC. 41002. PURPOSE.**

2 “The purpose of this subtitle is to enable the Attor-  
3 ney General, though the Director of the Office on Violence  
4 Against Women, to award grants to improve court re-  
5 sponses to adult and youth domestic violence, dating vio-  
6 lence, sexual assault, and stalking to be used for the fol-  
7 lowing purposes—

8 “(1) improved internal civil and criminal court  
9 functions, responses, practices, and procedures;

10 “(2) education for court-based and court-related  
11 personnel on issues relating to victims’ needs, in-  
12 cluding safety, security, privacy, confidentiality and  
13 economic independence, as well as information about  
14 perpetrator behavior and best practices for holding  
15 perpetrators accountable;

16 “(3) collaboration and training with Federal,  
17 State, and local public agencies and officials and  
18 nonprofit, non-governmental organizations to im-  
19 prove implementation and enforcement of relevant  
20 Federal, State, tribal, territorial and local law;

21 “(4) to enable courts or court-based or court-re-  
22 lated programs to develop new or enhance current—

23 “(A) court infrastructure (such as special-  
24 ized courts, dockets, intake centers, or inter-  
25 preter services and linguistically and culturally  
26 specific services);

1           “(B) community-based initiatives within  
2           the court system (such as court watch pro-  
3           grams, victim advocates, or community-based  
4           supplementary services);

5           “(C) offender management, monitoring,  
6           and accountability programs;

7           “(D) safe and confidential information-  
8           storage and -sharing databases within and be-  
9           tween court systems;

10          “(E) education and outreach programs  
11          (such as interpreters) to improve community  
12          access, including enhanced access for racial and  
13          ethnic communities and racial and ethnic and  
14          other underserved populations (as described in  
15          section 40002); and

16          “(F) other projects likely to improve court  
17          responses to domestic violence, dating violence,  
18          sexual assault, and stalking; and

19          “(5) to provide technical assistance to tribal,  
20          Federal, State, territorial or local courts wishing to  
21          improve their practices and procedures or to develop  
22          new programs.

23   **“SEC. 41003. GRANT REQUIREMENTS.**

24          “Grants awarded under this subtitle shall be subject  
25   to the following conditions:

1           “(1) ELIGIBLE GRANTEES.—Eligible grantees  
2       may include—

3           “(A) tribal, Federal, State, territorial or  
4       local courts or court-based programs; and

5           “(B) national, tribal, State, or local private,  
6       nonprofit organizations with demonstrated  
7       expertise in developing and providing judicial  
8       education about domestic violence, dating violence,  
9       sexual assault, or stalking.

10          “(2) CONDITIONS OF ELIGIBILITY.—To be eligible  
11       for a grant under section 41003, applicants shall  
12       certify in writing that—

13          “(A) any courts or court-based personnel  
14       working directly with or making decisions about  
15       adult or minor parties experiencing domestic violence,  
16       dating violence, sexual assault, and  
17       stalking have completed or will complete education  
18       about domestic violence, dating violence,  
19       sexual assault, and stalking;

20          “(B) any education program developed  
21       under section 41002 has been or will be developed  
22       with significant input from and in collaboration  
23       with a national, tribal, State, territorial,  
24       or local victim services provider or coalition;  
25       and

1           “(C) the grantee’s internal organizational  
2           policies, procedures, or rules do not require me-  
3           diation or counseling between offenders and vic-  
4           tims physically together in cases where domestic  
5           violence, dating violence, sexual assault, or  
6           stalking is an issue.

7   **“SEC. 41004. EVALUATION.**

8           “(a) IN GENERAL.—The Attorney General, through  
9   the Director of the Office on Violence Against Women,  
10 may evaluate the grants funded under section 41002.

11          “(b) TRIBAL GRANTEES.—Evaluation of tribal grant-  
12 ees under this section shall be conducted by entities with  
13 expertise in Federal Indian law and tribal court practice.

14   **“SEC. 41005. NATIONAL EDUCATIONAL CURRICULA.**

15          “(a) IN GENERAL.—The Attorney General, through  
16 the Director of the Office on Violence Against Women,  
17 shall fund efforts to develop a national education cur-  
18 riculum for use by State and national judicial educators  
19 to ensure that all courts and court personnel have access  
20 to information about relevant Federal, State, territorial,  
21 or local law, promising practices, procedures, and policies  
22 regarding court responses to adult and youth domestic vio-  
23 lence, dating violence, sexual assault, and stalking.

24          “(b) ELIGIBLE ENTITIES.—Any curricula developed  
25 under this section—

1           “(1) shall be developed by an entity or entities  
2           having demonstrated expertise in developing judicial  
3           education curricula on issues relating to domestic vi-  
4           olence, dating violence, sexual assault, and stalking;  
5           or

6           “(2) if the primary grantee does not have dem-  
7           onstrated expertise such issues, the curricula shall  
8           be developed by the primary grantee in partnership  
9           with an organization having such expertise.

10   **“SEC. 41006. TRIBAL CURRICULA.**

11           “(a) IN GENERAL.—The Attorney General, through  
12           the Office on Violence Against Women, shall fund efforts  
13           to develop education curricula for tribal court judges to  
14           ensure that all tribal courts have relevant information  
15           about promising practices, procedures, policies, and law  
16           regarding tribal court responses to adult and youth domes-  
17           tic violence, dating violence, sexual assault, and stalking.

18           “(b) ELIGIBLE ENTITIES.—Any curricula developed  
19           under this section—

20           “(1) shall be developed by a tribal organization  
21           having demonstrated expertise in developing judicial  
22           education curricula on issues relating to domestic vi-  
23           olence, dating violence, sexual assault, and stalking;  
24           and

1           “(2) if the primary grantee does not have such  
2           expertise, the curricula shall be developed by the pri-  
3           mary grantee through partnership with organiza-  
4           tions having such expertise.

5   **“SEC. 41007. AUTHORIZATION OF APPROPRIATIONS.**

6           “(a) IN GENERAL.—There is authorized to be appro-  
7           priated to carry out this subtitle \$5,000,000 for each of  
8           fiscal years 2006 to 2010.

9           “(b) AVAILABILITY.—Funds appropriated under this  
10          section shall remain available until expended and may only  
11          be used for the specific programs and activities described  
12          in this subtitle.

13          “(c) SET ASIDE.—Of the amounts made available  
14          under this subsection in each fiscal year, not less than 10  
15          percent shall be used for grants to tribes.

16   **“SEC. 41008. ACCESS TO JUSTICE FOR TEENS.**

17          “(a) PURPOSE.—It is the purpose of this section to  
18          encourage cross training and collaboration between the  
19          courts, domestic violence and sexual assault service pro-  
20          viders, youth organizations and service providers, violence  
21          prevention programs, and law enforcement agencies, so  
22          that communities can establish and implement policies,  
23          procedures, and practices to protect and more comprehen-  
24          sively and effectively serve youth victims of dating vio-  
25          lence, domestic violence, sexual assault, and stalking be-

1 tween the ages of 12 and 24, and to engage, where nec-  
2 essary, other entities addressing the safety, health, mental  
3 health, social service, housing, and economic needs of  
4 youth victims of domestic violence, dating violence, sexual  
5 assault, and stalking.

6 “(b) GRANT AUTHORITY.—

7 “(1) IN GENERAL.—The Attorney General,  
8 through the Director of the Office on Violence  
9 Against Women (in this section referred to as the  
10 ‘Director’), shall make grants to eligible entities to  
11 enable entities to jointly carry out cross training and  
12 other collaborative initiatives that seek to carry out  
13 the purposes of this section. Amounts appropriated  
14 under this section may only be used for programs  
15 and activities described under subsection (c).

16 “(2) GRANT PERIODS.—Grants shall be award-  
17 ed under this section for a period of 3 fiscal years.

18 “(3) ELIGIBLE ENTITIES.—To be eligible for a  
19 grant under this section, a grant applicant shall es-  
20 tablish a collaboration that shall include—

21 “(A) a Tribal, State, Territorial or local  
22 juvenile, family, civil, criminal or other trial  
23 court with jurisdiction over domestic violence,  
24 dating violence, sexual assault or stalking cases  
25 (hereinafter referred to as “courts”); and

1                   “(B) a victim service provider that has ex-  
2                   perience in working on domestic violence, dating  
3                   violence, sexual assault, or stalking and the ef-  
4                   fect that those forms of abuse have on young  
5                   people.

6                   “(c) USES OF FUNDS.—An entity that receives a  
7                   grant under this section shall use the funds made available  
8                   through the grant for cross-training and collaborative ef-  
9                   forts to—

10                  “(1) assess and analyze currently available serv-  
11                  ices for youth victims of domestic violence, dating vi-  
12                  olence, sexual assault, and stalking; determine rel-  
13                  evant barriers to such services in a particular local-  
14                  ity;

15                  “(2) establish and enhance linkages and col-  
16                  laboration between courts; domestic violence or sex-  
17                  ual assault service providers, and, where applicable,  
18                  law enforcement agencies, and other entities ad-  
19                  dressing the safety, health, mental health, social  
20                  service, housing, and economic needs of youth vic-  
21                  tims of domestic violence, dating violence, sexual as-  
22                  sault or stalking, including community-based sup-  
23                  ports such as schools, local health centers, commu-  
24                  nity action groups, and neighborhood coalitions to  
25                  identify, assess, and respond appropriately to the



1       varying needs of youth victims of dating violence,  
2       domestic violence, sexual assault or stalking;

3           “(3) educate the staff of courts, domestic vio-  
4       lence and sexual assault service providers, and, as  
5       applicable, the staff of law enforcement agencies,  
6       youth organizations, schools, healthcare providers  
7       and other community prevention and intervention  
8       programs to responsibly address youth victims and  
9       perpetrators of domestic violence, dating violence,  
10      sexual assault and stalking, and to understand rel-  
11      evant laws, court procedures and policies; and

12          “(4) provide appropriate resources in juvenile  
13      court matters to respond to dating violence, domestic  
14      violence, sexual assault and stalking and assure nec-  
15      essary services dealing with the health and mental  
16      health of youth victims are available.

17      “(d) GRANT APPLICATIONS.—To be eligible for a  
18      grant under this section, the entities that are members  
19      of the applicant collaboration described in subsection  
20      (b)(3) shall jointly submit an application to the Director  
21      at such time, in such manner, and containing such infor-  
22      mation as the Director may require.

23      “(e) PRIORITY.—In awarding grants under this sec-  
24      tion, the Director shall give priority to entities that have  
25      submitted applications in partnership with law enforce-

1 ment agencies and religious and community organizations  
2 and service providers that work primarily with youth, es-  
3 pecially teens, and who have demonstrated a commitment  
4 to coalition building and cooperative problem solving in  
5 dealing with problems of dating violence, domestic vio-  
6 lence, sexual assault, and stalking in teen populations.

7 “(f) DISTRIBUTION.—In awarding grants under this  
8 section—

9 “(1) not less than 10 percent of funds appro-  
10 priated under this section in any year shall be avail-  
11 able for grants to collaborations involving tribal  
12 courts, tribal coalitions, tribal organizations, or do-  
13 mestic violence or sexual assault service providers  
14 the primary purpose of which is to provide culturally  
15 relevant services to American Indian or Alaska Na-  
16 tive women or youth;

17 “(2) the Director shall not use more than 2.5  
18 percent of funds appropriated under this section in  
19 any year for monitoring and evaluation of grants  
20 made available under this section;

21 “(3) the Attorney General shall not use more  
22 than 2.5 percent of funds appropriated under this  
23 section in any year for administration of grants  
24 made available under this section; and

1           “(4) up to 8 percent of funds appropriated  
2           under this section in any year shall be available to  
3           provide technical assistance for programs funded  
4           under this section.

5           “(g) REPORTING AND DISSEMINATION OF INFORMA-  
6           TION.—

7           “(1) REPORTS.—Each of the entities that are  
8           members of the applicant collaboration described in  
9           subsection (b)(3) and that receive a grant under this  
10          section shall jointly prepare and submit a report to  
11          the Director every 18 months detailing the activities  
12          that the entities have undertaken under the grant  
13          and such additional information as the Director may  
14          require.

15          “(2) DISSEMINATION OF INFORMATION.—Not  
16          later than 12 months after the end of the grant pe-  
17          riod under this section, the Director shall prepare,  
18          submit to Congress, and make widely available, in-  
19          cluding through electronic means, summaries that  
20          contain information on—

21                  “(A) the activities implemented by the re-  
22                  cipients of the grants awarded under this sec-  
23                  tion; and

24                  “(B) related initiatives undertaken by the  
25          Director to promote attention to dating vio-

1           lence, domestic violence, sexual assault, and  
 2           stalking and their impact on young victims  
 3           by—

4                       “(i) the staffs of courts;

5                       “(ii) domestic violence, dating vio-  
 6           lence, sexual assault, and stalking service  
 7           providers; and

8                       “(iii) law enforcement agencies and  
 9           community organizations.

10       “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
 11   are authorized to be appropriated to carry out this section,  
 12   \$5,000,000 in each of fiscal years 2006 through 2010.”.

13   **SEC. 105. FULL FAITH AND CREDIT IMPROVEMENTS.**

14       (a) ENFORCEMENT OF PROTECTION ORDERS ISSUED  
 15   BY TERRITORIES.—Section 2265 of title 18, United  
 16   States Code, are amended by—

17               (1) striking “or Indian tribe” each place it ap-  
 18       pears and inserting “, Indian tribe, or territory”;  
 19       and

20               (2) striking “State or tribal” each place it ap-  
 21       pears and inserting “State, tribal, or territorial”.

22       (b) CLARIFICATION OF ENTITIES HAVING ENFORCE-  
 23   MENT AUTHORITY AND RESPONSIBILITIES.—Section  
 24   2265(a) of title 18, United States Code, is amended by  
 25   striking “and enforced as if it were” and inserting “and

1 enforced by the court and law enforcement personnel of  
2 the other State, Indian tribal government or Territory as  
3 if it were”.

4 (c) PROTECTION ORDERS.—Sections 2265 and 2266  
5 of title 18, United States Code, are amended by striking  
6 “protection order” each place it appears and inserting  
7 “protection order, restraining order, or injunction”.

8 (d) LIMITS ON INTERNET PUBLICATION OF PROTEC-  
9 TION ORDER INFORMATION.—Section 2265(d) of title 18,  
10 United States Code, is amended by adding at the end the  
11 following:

12 “(3) LIMITS ON INTERNET PUBLICATION OF  
13 REGISTRATION INFORMATION.—A State, Indian  
14 tribe, or territory shall not publish publicly on the  
15 Internet any information regarding the registration  
16 or filing of a protection order, restraining order, or  
17 injunction in either the issuing or enforcing State,  
18 tribal or territorial jurisdiction, if such publication  
19 would be likely to publicly reveal the identity or loca-  
20 tion of the party protected under such order. A  
21 State, Indian tribe, or territory may share court-gen-  
22 erated law enforcement generated information con-  
23 tained in secure, governmental registries for protec-  
24 tion order enforcement purposes.”.

1 (e) DEFINITIONS.—Section 2266 of title 18, United  
2 States Code, is amended by striking paragraph (5) and  
3 inserting the following:

4 “(5) PROTECTION ORDER, RESTRAINING  
5 ORDER, OR INJUNCTION.—The term ‘protection  
6 order, restraining order, or injunction’ includes—

7 “(A) any injunction or other order issued  
8 by a civil or criminal court for the purpose of  
9 preventing violent or threatening acts or har-  
10 assment against, sexual violence, or contact or  
11 communication with or physical proximity to,  
12 another person, including any temporary or  
13 final order issued by a civil or criminal court  
14 whether obtained by filing an independent ac-  
15 tion or as a pendente lite order in another pro-  
16 ceeding so long as any civil or criminal order  
17 was issued in response to a complaint, petition,  
18 or motion filed by or on behalf of a person seek-  
19 ing protection; and

20 “(B) any support, child custody or visita-  
21 tion provisions, orders, remedies or relief issued  
22 as part of a protection order, restraining order,  
23 or injunction pursuant to State, tribal, terri-  
24 torial, or local law authorizing the issuance of  
25 protection orders, restraining orders, or injunc-

1           tions for the protection of victims of domestic  
2           violence, sexual assault, dating violence, or  
3           stalking.”.

4   **SEC. 106. PRIVACY PROTECTIONS FOR VICTIMS OF DOMES-**  
5                   **TIC VIOLENCE, DATING VIOLENCE, SEXUAL**  
6                   **VIOLENCE, AND STALKING.**

7           The Violence Against Women Act of 1994 (108 Stat.  
8   1902 et seq.) is amended by adding at the end the fol-  
9   lowing:

10   **“Subtitle K—Privacy Protections**  
11       **for Victims of Domestic Vio-**  
12       **lence, Dating Violence, Sexual**  
13       **Violence, and Stalking**

14   **“SEC. 41101. TASK FORCE.**

15       “The Attorney General shall establish a task force  
16   to review and report on policies, procedures, and techno-  
17   logical issues that may affect the privacy and confiden-  
18   tiality of victims of domestic violence, dating violence,  
19   stalking and sexual assault. The Attorney General shall  
20   include representatives from States, tribes, territories and  
21   private/non-profit organizations whose mission is to help  
22   develop a best practices model to prevent personally identi-  
23   fying information of adult and minor victims of domestic  
24   violence, dating violence, stalking and sexual assault from  
25   being released to the detriment of such victimized persons.

1 The Attorney General shall designate one staff member  
 2 to work with the task force. The Attorney General is  
 3 authorized to make grants to develop a demonstration  
 4 project to implement the best practices identified by the  
 5 Task Force.

6 **“SEC. 41102. AUTHORIZATION OF APPROPRIATIONS.**

7 “(a) IN GENERAL.—There is authorized to be appro-  
 8 priated to carry out this subtitle \$1,000,000 for each of  
 9 fiscal years 2006 through 2010.

10 “(b) AVAILABILITY.—Amounts appropriated under  
 11 this section shall remain available until expended and may  
 12 only be used for the specific programs and activities de-  
 13 scribed in this subtitle.”.

14 **SEC. 107. STALKER DATABASE.**

15 Section 40603 of the Violence Against Women Act  
 16 of 1994 (42 U.S.C. 14032) is amended—

17 (1) by striking “2001” and inserting “2006”;

18 and

19 (2) by striking “2006” and inserting “2010”.

20 **SEC. 108. VICTIM ASSISTANTS FOR DISTRICT OF COLUMBIA.**

21 Section 40114 of the Violence Against Women Act  
 22 of 1994 (Public Law 103–322) is amended to read as fol-  
 23 lows:



1 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM AS-**  
2 **SISTANTS.**

3 “There are authorized to be appropriated for the  
4 United States attorneys for the purpose of appointing vic-  
5 tim assistants for the prosecution of sex crimes and do-  
6 mestic violence crimes where applicable (such as the Dis-  
7 trict of Columbia), \$1,000,000 for each of fiscal years  
8 2006 through 2010.”.

9 **SEC. 109. PREVENTING CYBERSTALKING.**

10 (a) IN GENERAL.—Paragraph (1) of section 223 (h)  
11 of the Communications Act of 1934 (47 U.S.C. 223(h)(1))  
12 is amended—

13 (1) in subparagraph (A), by striking “and” at  
14 the end;

15 (2) in subparagraph (B), by striking the period  
16 at the end and inserting “; and”; and

17 (3) by adding at the end the following new sub-  
18 paragraph:

19 “(C) in the case of subparagraph (C) of  
20 subsection (a)(1), includes any device or soft-  
21 ware that can be used to originate telecommuni-  
22 cations or other types of communications that  
23 are transmitted, in whole or in part, by the  
24 Internet (as such term is defined in section  
25 1104 of the Internet Tax Freedom Act (47  
26 U.S.C. 151 note)).”.

1 (b) RULE OF CONSTRUCTION.—This section and the  
 2 amendment made by this section may not be construed  
 3 to affect the meaning given the term “telecommunications  
 4 device” in section 223(h)(1) of the Communications Act  
 5 of 1934, as in effect before the date of the enactment of  
 6 this section.

7 **SEC. 110. REPEAT OFFENDER PROVISION.**

8 Chapter 110A of title 18, United States Code, is  
 9 amended by adding after section 2265 the following:

10 **“§ 2265A. Repeat offender provision**

11 “The maximum term of imprisonment for a violation  
 12 of this chapter after a prior interstate domestic violence  
 13 offense (as defined in section 2261) or interstate violation  
 14 of protection order (as defined in section 2262) or inter-  
 15 state stalking (as defined in sections 2261A(a) and  
 16 2261A(b)) shall be twice the term otherwise provided for  
 17 the violation.”.

18 **SEC. 111. PROHIBITING DATING VIOLENCE.**

19 Section 2261(a) of title 18, United States Code, is  
 20 amended—

21 (1) in paragraph (1), striking “or intimate  
 22 partner” and inserting “, intimate partner, or dating  
 23 partner”; and

1           (2) in paragraph (2), striking “or intimate  
2       partner” and inserting “, intimate partner, or dating  
3       partner”.

4 **TITLE II—IMPROVING SERVICES**  
5 **FOR VICTIMS OF DOMESTIC**  
6 **VIOLENCE, DATING VIO-**  
7 **LENCE, SEXUAL ASSAULT,**  
8 **AND STALKING**

9 **SEC. 201. VIOLENCE AGAINST WOMEN PROGRAMS.**

10       (a) GRANT REQUIREMENTS.—Part T of title I of the  
11 Omnibus Crime Control and Safe Streets Act of 1968 (42  
12 U.S.C. 3796gg et seq.) is amended—

13           (1) in section 2001, by adding at the end the  
14       following:

15       “(d) FUNDING.—

16           “(1) USE OF FUNDS.—Funds appropriated for  
17       grants under this part may only be used for the spe-  
18       cific programs and activities expressly described in  
19       this part.”;

20           (2) by redesignating section 2004 (42 U.S.C.  
21       3796gg–0b) as subsection (e) of section 2003;

22           (3) by redesignating section 2005 (42 U.S.C.  
23       3796gg–0c) as subsection (f) of section 2003;

24           (4) by redesignating sections 2002 and 2003 as  
25       sections 2003 and 2004, respectively;

1           (5) by redesignating section 2006 (as added by  
2           section 402(3) of the Violence Against Women Of-  
3           fice Act) as section 2005;

4           (6) in section 2005, as redesignated, by adding  
5           at the end the following: “Any funds so appropriated  
6           shall remain available until expended.”; and

7           (7) by redesignating section 2007 as section  
8           2002.

9           (b) DEFINITIONS.—Section 2002 of the Omnibus  
10          Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
11          3796gg–2), as redesignated by subsection (a)(7), is  
12          amended—

13           (1) by redesignating paragraph (8) as para-  
14           graph (17);

15           (2) by redesignating paragraph (7) as para-  
16           graph (14);

17           (3) by redesignating paragraph (6) as para-  
18           graph (11);

19           (4) by redesignating paragraphs (2), (3), and  
20           (4) as paragraphs (5), (6), and (7), respectively;

21           (5) by redesignating paragraph (1) as para-  
22           graph (2);

23           (6) by redesignating paragraph (9) as para-  
24           graph (1);

1           (7) by redesignating paragraph (5) as para-  
2           graph (9); and

3           (8) by inserting after paragraph (2), as redesign-  
4           nated, the following:

5   **SEC. 202. SEXUAL ASSAULT SERVICES PROGRAM.**

6           Part T of title I of the Omnibus Crime Control and  
7   Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is  
8   amended by inserting after section 2006 the following:

9   **“SEC. 2007. SEXUAL ASSAULT SERVICES ACT.**

10          “(a) PURPOSES.—The purposes of this section are—

11               “(1) to assist States, tribes, and territories in  
12               providing intervention, advocacy, accompaniment,  
13               support services, and related assistance for—

14                       “(A) adult and minor victims of sexual as-  
15                       sault;

16                       “(B) family and household members of  
17                       such victims; and

18                       “(C) those collaterally affected by the vic-  
19                       timization except for the perpetrator of such  
20                       victimization; and

21               “(2) to provide for technical assistance and  
22               training relating to sexual assault to—

23                       “(A) Federal, State, tribal, territorial and  
24                       local governments, law enforcement agencies,  
25                       and courts;

1           “(B) professionals working in legal, social  
2           service, and health care settings;

3           “(C) nonprofit organizations;

4           “(D) faith-based organizations; and

5           “(E) other individuals and organizations  
6           seeking such assistance.

7           “(b) GRANTS TO STATES AND TERRITORIES.—

8           “(1) GRANTS AUTHORIZED.—The Attorney  
9           General shall award grants to States and territories  
10          to support the establishment, maintenance, and ex-  
11          pansion of rape crisis centers and other programs  
12          and projects to assist those victimized by sexual as-  
13          sault.

14          “(2) ALLOCATION AND USE OF FUNDS.—

15               “(A) ADMINISTRATIVE COSTS.—Not more  
16               than 5 percent of the grant funds received by  
17               a State or territory governmental agency under  
18               this subsection for any fiscal year may be used  
19               for administrative costs.

20               “(B) GRANT FUNDS.—Any funds received  
21               by a State or territory under this subsection  
22               that are not used for administrative costs shall  
23               be used to provide grants to rape crisis centers  
24               and other nonprofit, nongovernmental organiza-  
25               tions for programs and activities within such

1 State or territory that provide direct interven-  
2 tion and related assistance.

3 “(C) INTERVENTION AND RELATED AS-  
4 SISTANCE.—Intervention and related assistance  
5 under subparagraph (B) may include—

6 “(i) 24 hour hotline services providing  
7 crisis intervention services and referral;

8 “(ii) accompaniment and advocacy  
9 through medical, criminal justice, and so-  
10 cial support systems, including medical fa-  
11 cilities, police, and court proceedings;

12 “(iii) crisis intervention, short-term  
13 individual and group support services, and  
14 comprehensive service coordination, and  
15 supervision to assist sexual assault victims  
16 and family or household members;

17 “(iv) support mechanisms that are  
18 culturally relevant to the community;

19 “(v) information and referral to assist  
20 the sexual assault victim and family or  
21 household members;

22 “(vi) community-based, linguistically,  
23 and culturally-specific service including  
24 outreach activities for racial and ethnic  
25 and other underserved communities and

1 linkages to existing services in these com-  
2 munities; and

3 “(vii) the development and distribu-  
4 tion of educational materials on issues re-  
5 lated to sexual assault and the services de-  
6 scribed in clauses (i) through (vii).

7 “(3) APPLICATION.—

8 “(A) IN GENERAL.—Each eligible entity  
9 desiring a grant under this subsection shall  
10 submit an application to the Attorney General  
11 at such time and in such manner as the Attor-  
12 ney General may reasonably require.

13 “(B) CONTENTS.—Each application sub-  
14 mitted under subparagraph (A) shall—

15 “(i) set forth procedures designed to  
16 assure meaningful involvement of the State  
17 or territorial sexual assault coalition and  
18 representatives from racial and ethnic and  
19 other underserved communities in the de-  
20 velopment of the application and the imple-  
21 mentation of the plans;

22 “(ii) set forth procedures designed to  
23 ensure an equitable distribution of grants  
24 and grant funds within the State or terri-



1                   tory and between urban and rural areas  
2                   within such State or territory;

3                   “(iii) identify the State or territorial  
4                   agency that is responsible for the adminis-  
5                   tration of programs and activities; and

6                   “(iv) meet other such requirements as  
7                   the Attorney General reasonably deter-  
8                   mines are necessary to carry out the pur-  
9                   poses and provisions of this section.

10                  “(4) REPORTING.—Each State and territory re-  
11                  ceiving a grant under this subsection shall submit an  
12                  annual report to the Attorney General that describes  
13                  the activities carried out with such grant funds.

14                  “(5) ALLOCATION OF FUNDS.—The Attorney  
15                  General shall allocate to each State not less than  
16                  0.50 percent of the total amount so appropriated in  
17                  a fiscal year for grants under this section, except  
18                  that the United States Virgin Islands, American  
19                  Samoa, Guam, the District of Columbia, Puerto  
20                  Rico, and the Commonwealth of the Northern Mar-  
21                  iana Islands shall each be allocated 0.125 percent of  
22                  the total appropriations.

23                  “(c) GRANTS FOR CULTURALLY SPECIFIC PROGRAMS  
24                  ADDRESSING SEXUAL ASSAULT.—

1           “(1) GRANTS AUTHORIZED.—The Attorney  
2       General shall award grants to eligible entities to  
3       support the establishment, maintenance, and expansion of culturally specific intervention and related  
4       assistance for victims of sexual assault.  
5

6           “(2) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall—  
7

8               “(A) be a private nonprofit organization  
9       that focuses primarily on racial and ethnic communities;  
10

11               “(B) must have documented organizational  
12       experience in the area of sexual assault intervention or have entered into a partnership with  
13       an organization having such expertise;  
14

15               “(C) have expertise in the development of  
16       community-based, linguistically and culturally specific outreach and intervention services relevant for the specific racial and ethnic communities to whom assistance would be provided or  
17       have the capacity to link to existing services in  
18       the community tailored to the needs of racial  
19       and ethnic populations; and  
20  
21       and ethnic populations; and  
22

23               “(D) have an advisory board or steering  
24       committee and staffing which is reflective of the  
25       targeted racial and ethnic community.

1           “(3) USE OF FUNDS.—Funds appropriated  
2           under this section may be used for the purposes de-  
3           scribed in this section.

4           “(4) AWARD BASIS.—The Attorney General  
5           shall award grants under this section on a competi-  
6           tive basis.

7           “(5) DISTRIBUTION.—

8                 “(A) The Attorney General shall not use  
9                 more than the 2.5 percent of funds appro-  
10                priated under this subsection in any year for  
11                administration, monitoring, and evaluation of  
12                grants made available under this subsection.

13               “(B) Up to 5 percent of funds appro-  
14                priated under this section in any year shall be  
15                available for technical assistance by a national  
16                organization or organizations whose primary  
17                focus and expertise is in addressing sexual as-  
18                sault within racial and ethnic communities.

19           “(6) TERM.—The Attorney General shall make  
20           grants under this section for a period of no less than  
21           3 fiscal years.

22           “(7) REPORTING.—Each entity receiving a  
23           grant under this subsection shall submit a report to  
24           the Attorney General that describes the activities out-  
25           with such grant funds.

1       “(d) GRANTS TO STATE, TERRITORIAL, AND TRIBAL  
2 SEXUAL ASSAULT COALITIONS.—

3               “(1) GRANTS AUTHORIZED.—

4                       “(A) IN GENERAL.—The Attorney General  
5 shall award grants to State, territorial, and  
6 tribal sexual assault coalitions to assist in sup-  
7 porting the establishment, maintenance, and ex-  
8 pansion of such coalitions.

9                       “(B) MINIMUM AMOUNT.—Not less than  
10 10 percent of the total amount appropriated to  
11 carry out this section shall be used for grants  
12 under subparagraph (A).

13                      “(C) ELIGIBLE APPLICANTS.—Each of the  
14 State, territorial, and tribal sexual assault coali-  
15 tions as determined by the National Center for  
16 Injury Prevention and Control in collaboration  
17 with the office of Violence Against Women at  
18 the Department of Justice.

19               “(2) USE OF FUNDS.—Grant funds received  
20 under this subsection may be used to—

21                      “(A) work with local sexual assault pro-  
22 grams and other providers of direct services to  
23 encourage appropriate responses to sexual as-  
24 sault within the State, territory, or tribe;

1           “(B) work with judicial and law enforce-  
2           ment agencies to encourage appropriate re-  
3           sponses to sexual assault cases;

4           “(C) work with courts, child protective  
5           services agencies, and children’s advocates to  
6           develop appropriate responses to child custody  
7           and visitation issues when sexual assault has  
8           been determined to be a factor;

9           “(D) design and conduct public education  
10          campaigns;

11          “(E) plan and monitor the distribution of  
12          grants and grant funds to their State, territory,  
13          or tribe; or

14          “(F) collaborate with and inform Federal,  
15          State, or local public officials and agencies to  
16          develop and implement policies to reduce or  
17          eliminate sexual assault.

18          “(3) ALLOCATION AND USE OF FUNDS.—From  
19          amounts appropriated for grants under this sub-  
20          section for each fiscal year—

21                 “(A) not less than 10 percent of the funds  
22                 shall be available for grants to tribal sexual as-  
23                 sault coalitions;

24                 “(B) the remaining funds shall be available  
25                 for grants to State and territorial coalitions,

1           and the Attorney General shall allocate an  
2           amount equal to  $\frac{1}{56}$  of the amounts so appro-  
3           priated to the Territories as defined in section  
4           4002(a)(20) of this Act.

5           “(4) APPLICATION.—Each eligible entity desir-  
6           ing a grant under this subsection shall submit an  
7           application to the Attorney General at such time, in  
8           such manner, and containing by such information as  
9           the Attorney General determines to be essential to  
10          carry out the purposes of this section.

11          “(5) REPORTING.—Each State or territorial  
12          sexual assault coalition receiving a grant under this  
13          subsection shall submit a report to the Attorney  
14          General that describes activities carried out with  
15          such grant funds.

16          “(6) FIRST-TIME APPLICANTS.—No entity shall  
17          be prohibited from submitting an application under  
18          this subsection during any fiscal year for which  
19          funds are available under this subsection because  
20          such entity has not previously applied or received  
21          funding under this subsection.

22          “(e) GRANTS TO TRIBES.—

23          “(1) GRANTS AUTHORIZED.—The Attorney  
24          General may award grants to Indian tribes, tribal  
25          organizations, and nonprofit tribal organizations ap-

1 proved by an Indian tribe for the operation of a sex-  
2 ual assault programs or projects in Indian country  
3 and Alaskan native villages to support the establish-  
4 ment, maintenance, and expansion of programs and  
5 projects to assist those victimized by sexual assault.

6 “(2) ALLOCATION AND USE OF FUNDS.—

7 “(A) ADMINISTRATIVE COSTS.—Not more  
8 than 5 percent of the grant funds received by  
9 an Indian tribe, tribal organization, and non-  
10 profit tribal organization under this subsection  
11 for any fiscal year may be used for administra-  
12 tive costs.

13 “(B) GRANT FUNDS.—Any funds received  
14 under this subsection that are not used for ad-  
15 ministrative costs shall be used to provide  
16 grants to tribal organizations and nonprofit  
17 tribal organizations for programs and activities  
18 within Indian country and Alaskan native vil-  
19 lages that provide direct intervention and re-  
20 lated assistance.

21 “(C) INTERVENTION AND RELATED AS-  
22 SISTANCE.—Intervention and related assistance  
23 under subparagraph (B) may include—

24 “(i) 24-hour hotline services providing  
25 crisis intervention services and referral;

1           “(ii) accompaniment and advocacy  
2           through medical, criminal justice, and so-  
3           cial support systems, including medical fa-  
4           cilities, police, and court proceedings;

5           “(iii) crisis intervention, short-term  
6           individual and group support services, and  
7           case management and supervision to assist  
8           sexual assault victims and family or house-  
9           hold members;

10          “(iv) information and referral to as-  
11          sist the sexual assault victim and family or  
12          household members;

13          “(v) support mechanisms that are cul-  
14          turally relevant to the community;

15          “(vi) collaborating with and informing  
16          public officials and agencies in order to de-  
17          velop and implement policies to reduce or  
18          eliminate sexual assault; and

19          “(vii) the development and distribu-  
20          tion of educational materials on issues re-  
21          lated to sexual assault and the services de-  
22          scribed in clauses (i) through (vi).

23          “(3) REPORTING.—Each tribe receiving a grant  
24          under this subsection shall submit an annual report



1 to the Attorney General that describes the activities  
2 carried out with such grant funds.

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—

4 “(1) IN GENERAL.—There are authorized to be  
5 appropriated \$60,000,000 for each of the fiscal  
6 years 2006 through 2010 to carry out the provisions  
7 of this section. Any amounts so appropriated shall  
8 remain available until expended.

9 “(2) ALLOCATIONS.—Of the total amounts ap-  
10 propriated for each fiscal year to carry out this sec-  
11 tion—

12 “(A) not more than 2.5 percent shall be  
13 used by the Attorney General for evaluation,  
14 monitoring, and other administrative costs  
15 under this section;

16 “(B) not more than 2.5 percent shall be  
17 used for the provision of technical assistance to  
18 grantees and subgrantees under this section;

19 “(C) not less than 65 percent shall be used  
20 for grants to States and territories under sub-  
21 section (b);

22 “(D) not less than 10 percent shall be used  
23 for making grants to State, territorial, and trib-  
24 al sexual assault coalitions under subsection (c);

1 “(E) not less than 10 percent shall be used  
2 for grants to tribes under subsection (d); and

3 “(F) not less than 10 percent shall be used  
4 for grants for culturally specific programs ad-  
5 dressing sexual assault under subsection (c).”.

6 **SEC. 203. AMENDMENTS TO THE RURAL DOMESTIC VIO-**  
7 **LENCE AND CHILD ABUSE ENFORCEMENT AS-**  
8 **SISTANCE PROGRAM.**

9 Section 40295 of the Safe Homes for Women Act of  
10 1994 (42 U.S.C. 13971) is amended to read as follows:

11 **“SEC. 40295. RURAL DOMESTIC VIOLENCE, DATING VIO-**  
12 **LENCE, SEXUAL ASSAULT, STALKING, AND**  
13 **CHILD ABUSE ENFORCEMENT ASSISTANCE.**

14 “(a) PURPOSES.—The purposes of this section are—

15 “(1) to identify, assess, and appropriately re-  
16 spond to adult and minor domestic violence, sexual  
17 assault, dating violence, and stalking in rural com-  
18 munities, by encouraging collaboration between—

19 “(A) domestic violence, dating violence,  
20 sexual assault, and stalking victim service pro-  
21 viders;

22 “(B) law enforcement agencies;

23 “(C) prosecutors;

24 “(D) courts;

1           “(E) other criminal justice service pro-  
2           viders;

3           “(F) human and community service pro-  
4           viders;

5           “(G) educational institutions; and

6           “(H) health care providers;

7           “(2) to establish and expand nonprofit, non-  
8           governmental, State, tribal, and local government  
9           services in rural communities to adult and minor vic-  
10          tims; and

11          “(3) to increase the safety and well-being of  
12          women and children in rural communities, by—

13               “(A) dealing directly and immediately with  
14               domestic violence, sexual assault, dating vio-  
15               lence, and stalking occurring in rural commu-  
16               nities; and

17               “(B) creating and implementing strategies  
18               to increase awareness and prevent domestic vio-  
19               lence, sexual assault, dating violence, and stalk-  
20               ing.

21          “(b) GRANTS AUTHORIZED.—The Attorney General,  
22          acting through the Director of the Office on Violence  
23          Against Women (referred to in this section as the ‘Direc-  
24          tor’), may award 3-year grants, with a possible extension  
25          for an additional 3 years, to States, Indian tribes, local

1 governments, and nonprofit, public or private entities, in-  
2 cluding tribal nonprofit organizations, to carry out pro-  
3 grams serving rural areas or rural communities that ad-  
4 dress domestic violence, dating violence, sexual assault,  
5 and stalking by—

6 “(1) implementing, expanding, and establishing  
7 cooperative efforts and projects between law enforce-  
8 ment officers, prosecutors, victim advocacy groups,  
9 and other related parties to investigate and pros-  
10 ecute incidents of domestic violence, dating violence,  
11 sexual assault, and stalking;

12 “(2) providing treatment, counseling, and other  
13 long- and short-term assistance to adult and minor  
14 victims of domestic violence, dating violence, sexual  
15 assault, and stalking in rural communities; and

16 “(3) working in cooperation with the commu-  
17 nity to develop education and prevention strategies  
18 directed toward such issues.

19 “(c) USE OF FUNDS.—Funds appropriated pursuant  
20 to this section shall be used only for specific programs and  
21 activities expressly described in subsection (a).

22 “(d) ALLOTMENTS AND PRIORITIES.—

23 “(1) ALLOTMENT FOR INDIAN TRIBES.—Not  
24 less than 10 percent of the total amount made avail-  
25 able for each fiscal year to carry out this section

1 shall be allocated for grants to Indian tribes or trib-  
2 al organizations.

3 “(2) ALLOTMENT FOR SEXUAL ASSAULT SERV-  
4 ICES.—Not less than 40 percent of the total amount  
5 made available for each fiscal year to carry out this  
6 section shall be allocated for grants that meaning-  
7 fully address sexual assault in rural communities.

8 “(3) ALLOTMENT FOR TECHNICAL ASSIST-  
9 ANCE.—Of the amounts appropriated for each fiscal  
10 year to carry out this section, not more than 8 per-  
11 cent may be used by the Director for technical as-  
12 sistance costs.

13 “(4) UNDERSERVED POPULATIONS.—In award-  
14 ing grants under this section, the Director shall give  
15 priority to the needs of racial and ethnic and other  
16 underserved populations (as described in section  
17 40002).

18 “(5) ALLOCATION OF FUNDS FOR RURAL  
19 STATES.—Not less than 75 percent of the total  
20 amount made available for each fiscal year to carry  
21 out this section shall be allocated for grants to rural  
22 States.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—

1           “(1) IN GENERAL.—There are authorized to be  
2           appropriated \$55,000,000 for each of the fiscal  
3           years 2006 through 2010 to carry out this section.

4           “(2) ADDITIONAL FUNDING.—In addition to  
5           funds received through a grant under subsection (b),  
6           a law enforcement agency may use funds received  
7           through a grant under part Q of title I of the Omni-  
8           bus Crime Control and Safe Streets Act of 1968 (42  
9           U.S.C. 3796dd et seq.) to accomplish the objectives  
10          of this section.”.

11 **SEC. 204. ASSISTANCE FOR VICTIMS OF ABUSE.**

12          Part T of title I of the Omnibus Crime Control and  
13          Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is  
14          amended by adding at the end the following:

15 **“SEC. 2011. ASSISTANCE FOR VICTIMS OF ABUSE.**

16          “(a) GRANTS AUTHORIZED.—The Attorney General  
17          may award grants to appropriate entities—

18               “(1) to provide services for victims of domestic  
19               violence and sexual assault who are 50 years of age  
20               or older;

21               “(2) to increase the physical accessibility of  
22               buildings in which services are or will be rendered  
23               for victims of domestic violence and sexual assault  
24               who are 50 years of age or older;

1           “(3) to provide training, consultation, and in-  
2           formation on domestic violence, dating violence,  
3           stalking, and sexual assault against women and girls  
4           who are individuals with disabilities (as defined in  
5           section 3 of the Americans with Disabilities Act of  
6           1990 (42 U.S.C. 12102)), and to enhance direct  
7           services to such individuals;

8           “(4) for training programs to assist law en-  
9           forcement officers, prosecutors, governmental agen-  
10          cies, victim assistants, and relevant officers of Fed-  
11          eral, State, tribal, territorial, and local courts in rec-  
12          ognizing, addressing, investigating, and prosecuting  
13          instances of adult or minor domestic violence, dating  
14          violence, sexual assault, stalking, elder abuse, and  
15          violence against individuals with disabilities, includ-  
16          ing domestic violence and sexual assault, against  
17          older or disabled individuals; and

18          “(5) for multidisciplinary collaborative commu-  
19          nity responses to victims.

20          “(b) USE OF FUNDS.—Grant funds under this sec-  
21          tion may be used—

22                 “(1) to implement or expand programs or serv-  
23                 ices to respond to the needs of persons 50 years of  
24                 age or older who are victims of domestic violence,

1 dating violence, sexual assault, stalking, or elder  
2 abuse;

3 “(2) to provide personnel, training, technical  
4 assistance, advocacy, intervention, risk reduction and  
5 prevention of domestic violence, dating violence,  
6 stalking, and sexual assault against disabled women  
7 and girls;

8 “(3) to conduct outreach activities to ensure  
9 that disabled women and girls who are victims of do-  
10 mestic violence, dating violence, stalking, or sexual  
11 assault receive appropriate assistance;

12 “(4) to conduct cross-training for victim service  
13 organizations, governmental agencies, and nonprofit,  
14 nongovernmental organizations serving individuals  
15 with disabilities; about risk reduction, intervention,  
16 prevention and the nature of dynamic of domestic vi-  
17 olence, dating violence, stalking, and sexual assault  
18 for disabled women and girls;

19 “(5) to provide technical assistance to assist  
20 with modifications to existing policies, protocols, and  
21 procedures to ensure equal access to the services,  
22 programs, and activities of victim service organiza-  
23 tions for disabled women and girls;

24 “(6) to provide training and technical assist-  
25 ance on the requirements of shelters and victim serv-



1       ices organizations under Federal antidiscrimination  
2       laws, including—

3               “(A) the Americans with Disabilities Act of  
4               1990; and

5               “(B) section 504 of the Rehabilitation Act  
6               of 1973;

7               “(7) to rehabilitate facilities, purchase equip-  
8       ment, and provide personnel so that shelters and vic-  
9       tim service organizations can accommodate the  
10      needs of disabled women and girls;

11              “(8) to provide advocacy and intervention serv-  
12      ices for disabled women and girls who are victims of  
13      domestic violence, dating violence, stalking, or sexual  
14      assault through collaborative partnerships between—

15              “(A) nonprofit, nongovernmental agencies;

16              “(B) governmental agencies serving indi-  
17      viduals with disabilities; and

18              “(C) victim service organizations; or

19              “(9) to develop model programs providing adv-  
20      cacy and intervention services within organizations  
21      serving disabled women and girls who are victims of  
22      domestic violence, dating violence, sexual assault, or  
23      stalking.

24      “(c) ELIGIBLE ENTITIES.—

1           “(1) IN GENERAL.—An entity shall be eligible  
2           to receive a grant under this section if the entity  
3           is—

4                   “(A) a State;

5                   “(B) a unit of local government;

6                   “(C) a nonprofit, nongovernmental organi-  
7           zation such as a victim services organization, an  
8           organization serving individuals with disabilities  
9           or a community-based organization; and

10                  “(D) a religious organization.

11           “(2) LIMITATION.—A grant awarded for the  
12           purposes described in subsection (b) (9) shall only be  
13           awarded to an eligible agency (as defined in section  
14           410 of the Rehabilitation Act of 1973 (29 USC  
15           796f–5)).

16           “(d) APPLICATION.—An eligible entity desiring a  
17           grant under this section shall submit an application to the  
18           Secretary at such time, in such manner, and containing  
19           such information as the Secretary may require.

20           “(e) REPORTING.—Not later than 1 year after the  
21           last day of the first fiscal year commencing on or after  
22           the date of enactment of this Act, and not later than 180  
23           days after the last day of each fiscal year thereafter, the  
24           Attorney General shall submit to Congress a report evalu-

1 ating the effectiveness of programs administered and oper-  
 2 ated pursuant to this section.

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
 4 are authorized to be appropriated \$28,000,000 for each  
 5 of the fiscal years 2006 through 2010 to carry out this  
 6 section.”.

7 **SEC. 205. GAO STUDY OF NATIONAL DOMESTIC VIOLENCE**  
 8 **HOTLINE.**

9 (a) STUDY REQUIRED.—Not later than 6 months  
 10 after the date of enactment of this Act, the Comptroller  
 11 General shall conduct a study of the National Domestic  
 12 Violence Hotline to determine the effectiveness of the Hot-  
 13 line in assisting victims of domestic violence.

14 (b) ISSUES TO BE STUDIED.—In conducting the  
 15 study under subsection (a), the Comptroller General  
 16 shall—

17 (1) compile statistical and substantive informa-  
 18 tion about calls received by the Hotline since its in-  
 19 ception, or a representative sample of such calls,  
 20 while maintaining the confidentiality of Hotline call-  
 21 ers;

22 (2) interpret the data compiled under para-  
 23 graph (1)—

24 (A) to determine the trends, gaps in serv-  
 25 ices, and geographical areas of need; and

1 (B) to assess the trends and gaps in serv-  
2 ices to underserved communities and the mili-  
3 tary community; and

4 (3) gather other important information about  
5 domestic violence.

6 (c) REPORT.—Not later than 3 years after the date  
7 of enactment of this Act, the Comptroller General shall  
8 submit to Congress a report on the results of the study.

9 **SEC. 206. GRANTS FOR PUBLIC INFORMATION CAMPAIGNS.**

10 (a) GRANTS AUTHORIZED.—

11 (1) IN GENERAL.—From amounts made avail-  
12 able to carry out this section, the Attorney General,  
13 acting through the Director of the Office on Violence  
14 Against Women, shall award grants to eligible enti-  
15 ties described in subsection (b) to carry out local, re-  
16 gional, or national public information campaigns fo-  
17 cused on addressing adult or minor domestic vio-  
18 lence, dating violence, sexual assault, stalking, or  
19 trafficking within tribal, racial, and ethnic popu-  
20 lations and immigrant communities, including infor-  
21 mation on services available to victims and ways to  
22 prevent or reduce domestic violence, dating violence,  
23 sexual assault, and stalking.

1           (2) TERM.—The Attorney General shall award  
2       grants under this section for a period of 1 fiscal  
3       year.

4       (b) ELIGIBLE ENTITIES.—Eligible entities under this  
5       section are—

6           (1) nonprofit, nongovernmental organizations or  
7       coalitions that represent the targeted tribal, racial,  
8       and ethnic populations or immigrant community  
9       that—

10           (A) have a documented history of creating  
11       and administering effective public awareness  
12       campaigns addressing violence against women;  
13       or

14           (B) work in partnership with an organiza-  
15       tion that has a documented history of creating  
16       and administering effective public awareness  
17       campaigns addressing violence against women;  
18       or

19       (2) a governmental entity that demonstrates a  
20       partnership with organizations described in para-  
21       graph (1).

22       (c) ALLOCATION OF FUNDS.—Of the amounts appro-  
23       priated for grants under this section—

24           (1) not more than 20 percent shall be used for  
25       national model campaign materials targeted to spe-

1       cific tribal, racial, or ethnic populations or immi-  
2       grant community, including American Indian tribes  
3       and Alaskan native villages for the purposes of re-  
4       search, testing, message development, and prepara-  
5       tion of materials; and

6           (2) the balance shall be used for not less than  
7       10 State, regional, territorial, tribal, or local cam-  
8       paigns targeting specific communities with informa-  
9       tion and materials developed through the national  
10      campaign or, if appropriate, new materials to reach  
11      a particularly underserved or isolated community.

12      (d) USE OF FUNDS.—Funds appropriated under this  
13      section shall be used to conduct a public information cam-  
14      paign and build the capacity and develop leadership of ra-  
15      cial, ethnic populations, or immigrant community mem-  
16      bers to address domestic violence, dating violence, sexual  
17      assault, and stalking.

18      (e) APPLICATION.—An eligible entity desiring a grant  
19      under this section shall submit an application to the Direc-  
20      tor of the Office on Violence Against Women at such time,  
21      in such form, and in such manner as the Director may  
22      prescribe.

23      (f) CRITERIA.—In awarding grants under this sec-  
24      tion, the Attorney General shall ensure—

1           (1) reasonable distribution among eligible  
2           grantees representing various racial, ethnic, and im-  
3           migrant communities;

4           (2) reasonable distribution among State, re-  
5           gional, territorial, tribal, and local campaigns;

6           (3) that not more than 8 percent of the total  
7           amount appropriated under this section for each fis-  
8           cal year is set aside for technical assistance.

9           (g) REPORTS.—Each eligible entity receiving a grant  
10          under this section shall submit to the Director of the Of-  
11          fice of Violence Against Women, every 18 months, a report  
12          that describes the activities carried out with grant funds.

13          (h) AUTHORIZATION OF APPROPRIATIONS.—There  
14          are authorized to be appropriated to carry out this section  
15          \$2,000,000 per year for 2006 through 2010.

16       **TITLE III—SERVICES, PROTEC-**  
17       **TION, AND JUSTICE FOR**  
18       **YOUNG VICTIMS OF VIO-**  
19       **LENCE**

20       **SEC. 301. RAPE PREVENTION AND EDUCATION.**

21          Section 393B(c) of part J of title III of the Public  
22          Health Service Act (42 U.S.C. 280b–1(c)) is amended to  
23          read as follows:

24          “(c) AUTHORIZATION OF APPROPRIATIONS.—

1           “(1) IN GENERAL.—There is authorized to be  
2           appropriated to carry out this section \$80,000,000  
3           for each of fiscal years 2006 through 2010.

4           “(2) NATIONAL SEXUAL VIOLENCE RESOURCE  
5           CENTER ALLOTMENT.—Of the total amount made  
6           available under this subsection in each fiscal year,  
7           not less than \$1,500,000 shall be available for allot-  
8           ment under subsection (b).”.

9   **SEC. 302. SERVICES, EDUCATION, PROTECTION AND JUS-**  
10                           **TICE FOR YOUNG VICTIMS OF VIOLENCE.**

11           The Violence Against Women Act of 1994 (Public  
12   Law 103–322, Stat. 1902 et seq.) is amended by adding  
13   at the end the following:

14   **“Subtitle M—Services, Education,**  
15           **Protection and Justice for**  
16           **Young Victims of Violence**

17   **“SEC. 41201. SERVICES TO ADVOCATE FOR AND RESPOND**  
18                           **TO TEENS.**

19           “(a) GRANTS AUTHORIZED.—The Secretary of the  
20   Department of Health and Human Services (in this sec-  
21   tion referred to as the ‘Secretary’), acting through the  
22   Family and Youth Services Bureau, in consultation with  
23   the Department of Justice, shall award grants to eligible  
24   entities to conduct programs to serve teen and young adult  
25   victims between the ages of 12 and 24 of domestic vio-



1 lence, dating violence, sexual assault, and stalking.  
2 Amounts appropriated under this section may only be used  
3 for programs and activities described under subsection (c).

4 “(b) ELIGIBLE GRANTEES.—To be eligible to receive  
5 a grant under this section, an entity shall be—

6 “(1) a nonprofit, nongovernmental entity, the  
7 primary purpose of which is to provide services to  
8 victims of domestic violence, dating violence, sexual  
9 assault, or stalking;

10 “(2) a religious or community-based organiza-  
11 tion that specializes in working with youth victims of  
12 domestic violence, dating violence, sexual assault, or  
13 stalking;

14 “(3) an Indian Tribe or tribal organization pro-  
15 viding services primarily to tribal youth or tribal vic-  
16 tims of domestic violence, dating violence, sexual as-  
17 sault or stalking; or

18 “(4) a nonprofit, nongovernmental entity pro-  
19 viding services for runaway or homeless youth.

20 “(c) USE OF FUNDS.—

21 “(1) IN GENERAL.—An entity that receives a  
22 grant under this section shall use amounts provided  
23 under the grant to design or replicate, and imple-  
24 ment, programs and services, using domestic vio-  
25 lence, dating violence, sexual assault, and stalking

1 intervention models to respond to the needs of youth  
2 who are victims of domestic violence, dating violence,  
3 sexual assault or stalking.

4 “(2) TYPES OF PROGRAMS.—Such a program—

5 “(A) shall provide direct counseling and  
6 advocacy for teens and young adults, who have  
7 experienced domestic violence, dating violence,  
8 sexual assault or stalking;

9 “(B) shall include linguistically, culturally,  
10 and community relevant services for racial and  
11 ethnic and other underserved populations or  
12 linkages to existing services in the community  
13 tailored to the needs of racial and ethnic and  
14 other underserved populations;

15 “(C) may include mental health services;

16 “(D) may include legal advocacy efforts on  
17 behalf of minors and young adults with respect  
18 to domestic violence, dating violence, sexual as-  
19 sult or stalking;

20 “(E) may work with public officials and  
21 agencies to develop and implement policies,  
22 rules, and procedures in order to reduce or  
23 eliminate domestic violence, dating violence,  
24 sexual assault, and stalking against youth and  
25 young adults; and

1           “(F) may use not more than 25 percent of  
2           the grant funds to provide additional services  
3           and resources for youth, including childcare,  
4           transportation, educational support, and respite  
5           care.

6           “(d) AWARDS BASIS.—

7           “(1) GRANTS TO INDIAN TRIBES.—Not less  
8           than 10 percent of funds appropriated under this  
9           section in any year shall be available for grants to  
10          Indian Tribes or tribal organizations.

11          “(2) ADMINISTRATION.—The Secretary shall  
12          not use more than 2.5 percent of funds appropriated  
13          under this section in any year for administration,  
14          monitoring, and evaluation of grants made available  
15          under this section.

16          “(3) TECHNICAL ASSISTANCE.—Not less than 5  
17          percent of funds appropriated under this section in  
18          any year shall be available to provide technical as-  
19          sistance for programs funded under this section.

20          “(e) TERM.—The Secretary shall make the grants  
21          under this section for a period of 3 fiscal years.

22          “(f) REPORTS.—An entity receiving a grant under  
23          this section shall submit to the Secretary every 18 months  
24          a report of how grant funds have been used.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to carry out this section,  
3 \$15,000,000 for each of fiscal years 2006 through 2010.

4 **“SEC. 41202. GRANTS FOR TRAINING AND COLLABORATION**  
5 **ON THE INTERSECTION BETWEEN DOMESTIC**  
6 **VIOLENCE AND CHILD MALTREATMENT.**

7 “(a) PURPOSE.—The purpose of this section is to  
8 support efforts by child welfare agencies, domestic violence  
9 or dating violence victim services providers, courts, law en-  
10 forcement, and other related professionals and community  
11 organizations to develop collaborative responses and serv-  
12 ices and provide cross-training to enhance community re-  
13 sponses to families where there is both child maltreatment  
14 and domestic violence.

15 “(b) GRANTS AUTHORIZED.—The Attorney General,  
16 through the Violence Against Women Office, shall award  
17 grants on a competitive basis to eligible entities for the  
18 purposes and in the manner described in this section.

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to carry out this section  
21 \$10,000,000 for each of fiscal years 2006 through 2010.  
22 Funds appropriated under this section shall remain avail-  
23 able until expended. Of the amounts appropriated to carry  
24 out this section for each fiscal year, the Attorney General  
25 shall—

1           “(1) use not more than 3 percent for evalua-  
2           tion, monitoring, site visits, grantee conferences, and  
3           other administrative costs associated with con-  
4           ducting activities under this section;

5           “(2) set aside not more than 10 percent for  
6           grants to programs addressing child maltreatment  
7           and domestic violence or dating violence that are op-  
8           erated by, or in partnership with, a tribal organiza-  
9           tion; and

10          “(3) set aside up to 8 percent for technical as-  
11          sistance and training to be provided by organizations  
12          having demonstrated expertise in developing collabor-  
13          ative community and system responses to families  
14          in which there is both child maltreatment and do-  
15          mestic violence or dating violence, whether or not  
16          they are receiving funds under this section.

17          “(d) UNDERSERVED POPULATIONS.—In awarding  
18          grants under this section, the Attorney General shall con-  
19          sider the needs of racial and ethnic and other underserved  
20          populations (as described in section 40002).

21          “(e) GRANT AWARDS.—The Attorney General shall  
22          award grants under this section for periods of not more  
23          than 3 fiscal years.

24          “(f) USES OF FUNDS.—Entities receiving grants  
25          under this section shall use amounts provided to develop

1 collaborative responses and services and provide cross-  
2 training to enhance community responses to families  
3 where there is both child maltreatment and domestic vio-  
4 lence or dating violence. Amounts distributed under this  
5 section may only be used for programs and activities de-  
6 scribed in subsection (g).

7 “(g) PROGRAMS AND ACTIVITIES.—The programs  
8 and activities developed under this section shall—

9 “(1) encourage cross training, education, serv-  
10 ice development, and collaboration among child wel-  
11 fare agencies, domestic violence victim service pro-  
12 viders, and courts, law enforcement agencies, com-  
13 munity-based programs, and other entities, in order  
14 to ensure that such entities have the capacity to and  
15 will identify, assess, and respond appropriately to—

16 “(A) domestic violence or dating violence  
17 in homes where children are present and may  
18 be exposed to the violence;

19 “(B) domestic violence or dating violence  
20 in child protection cases; and

21 “(C) the needs of both the child and non-  
22 abusing parent;

23 “(2) establish and implement policies, proce-  
24 dures, programs, and practices for child welfare  
25 agencies, domestic violence victim service providers,

1 courts, law enforcement agencies, and other entities,  
2 that are consistent with the principles of protecting  
3 and increasing the immediate and long-term safety  
4 and well being of children and non-abusing parents  
5 and caretakers by—

6 “(A) increasing the safety, autonomy, ca-  
7 pacity, and financial security of non-abusing  
8 parents or caretakers, including developing  
9 service plans and utilizing community-based  
10 services that provide resources and support to  
11 non-abusing parents;

12 “(B) protecting the safety, security, and  
13 well-being of children by preventing their un-  
14 necessary removal from a non-abusing parent,  
15 or, in cases where removal of the child is nec-  
16 essary to protect the child’s safety, taking the  
17 necessary steps to provide appropriate and com-  
18 munity-based services to the child and the non-  
19 abusing parent to promote the safe and appro-  
20 priately prompt reunification of the child with  
21 the non-abusing parent;

22 “(C) recognizing the relationship between  
23 child maltreatment and domestic violence or  
24 dating violence in a family, as well as the im-

1           pact of and danger posed by the perpetrators’  
2           behavior on both child and adult victims; and

3                 “(D) holding adult and minor perpetrators  
4           of domestic violence or dating violence, not child  
5           and adult victims of abuse or neglect, account-  
6           able for stopping the perpetrators’ abusive be-  
7           haviors, including the development of separate  
8           service plans, court filings, or community-based  
9           interventions where appropriate;

10               “(3) increase cooperation and enhance linkages  
11       between child welfare agencies, domestic violence vic-  
12       tim service providers, courts (including family, crimi-  
13       nal, juvenile courts, or tribal courts), law enforce-  
14       ment agencies, and other entities to provide more  
15       comprehensive community-based services (including  
16       health, mental health, social service, housing, and  
17       neighborhood resources) to protect and to serve both  
18       child and adult victims;

19               “(4) identify, assess, and respond appropriately  
20       to domestic violence or dating violence in child pro-  
21       tection cases and to child maltreatment when it co-  
22       occurs with domestic violence or dating violence;

23               “(5) analyze and change policies, procedures,  
24       and protocols that contribute to overrepresentation



1 of racial and ethnic minorities in the court and child  
2 welfare system; and

3 “(6) provide appropriate referrals to commu-  
4 nity-based programs and resources, such as health  
5 and mental health services, shelter and housing as-  
6 sistance for adult and minor victims and their chil-  
7 dren, legal assistance and advocacy for adult and  
8 minor victims, assistance for parents to help their  
9 children cope with the impact of exposure to domes-  
10 tic violence or dating violence and child maltreat-  
11 ment, appropriate intervention and treatment for  
12 adult perpetrators of domestic violence or dating vio-  
13 lence whose children are the subjects of child protec-  
14 tion cases, programs providing support and assist-  
15 ance to racial and ethnic populations, and other nec-  
16 essary supportive services.

17 “(h) GRANTEE REQUIREMENTS.—

18 “(1) APPLICATIONS.—Under this section, an  
19 entity shall prepare and submit to the Attorney Gen-  
20 eral an application at such time, in such manner,  
21 and containing such information as the Attorney  
22 General may require, consistent with the require-  
23 ments described herein. The application shall—

24 “(A) ensure that communities impacted by  
25 these systems or organizations are adequately

1 represented in the development of the applica-  
2 tion, the programs and activities to be under-  
3 taken, and that they have a significant role in  
4 evaluating the success of the project;

5 “(B) describe how the training and col-  
6 laboration activities will enhance or ensure the  
7 safety and economic security of families where  
8 both child maltreatment and domestic violence  
9 or dating violence occurs by providing appro-  
10 priate resources, protection, and support to the  
11 victimized parents of such children and to the  
12 children themselves; and

13 “(C) outline methods and means partici-  
14 pating entities will use to ensure that all serv-  
15 ices are provided in a developmentally, linguis-  
16 tically and culturally competent manner and  
17 will utilize community-based supports and re-  
18 sources.

19 “(2) ELIGIBLE ENTITIES.—To be eligible for a  
20 grant under this section, an entity shall be a collabo-  
21 ration that—

22 “(A) shall include a State or local child  
23 welfare agency or Indian Tribe;

24 “(B) shall include a domestic violence or  
25 dating violence victim service provider;

1 “(C) may include a court;

2 “(D) may include a law enforcement agen-  
3 cy, or Bureau of Indian Affairs providing tribal  
4 law enforcement; and

5 “(E) may include any other such agencies  
6 or private nonprofit organizations, including  
7 community-based organizations, with the capac-  
8 ity to provide effective help to the child and  
9 adult victims served by the collaboration.

10 “(3) REPORTS.—Each entity receiving a grant  
11 under this section shall report to the Attorney Gen-  
12 eral every 18 months, detailing how the funds have  
13 been used.”.

14 **SEC. 303. GRANTS TO REDUCE VIOLENCE AGAINST WOMEN**  
15 **ON CAMPUS.**

16 Section 826 of the Higher Education Amendments of  
17 1998 (20 U.S.C. 1152) is amended—

18 (1) in subsection (a)(2)—

19 (A) by striking the period at the end of the  
20 sentence and inserting “for periods of 3  
21 years.”; and

22 (B) by adding at the end the following:  
23 “The Attorney General, through the Director of  
24 the Office on Violence Against Women, shall  
25 award the grants in amounts of not more than

1           \$500,000 for individual institutions of higher  
2           education and not more than \$1,000,000 for  
3           consortia of such institutions.”;

4           (2) in subsection (b)—

5                 (A) in paragraph (2)—

6                     (i) by inserting “develop and imple-  
7                     ment campus policies, protocols, and serv-  
8                     ices that” after “boards to”; and

9                     (ii) by adding at the end the fol-  
10                    lowing: “Within 90 days after the date of  
11                    enactment of the Violence Against Women  
12                    Act of 2005, the Attorney General shall  
13                    issue and make available minimum stand-  
14                    ards of training relating to violent crimes  
15                    against women on campus, for all campus  
16                    security personnel and personnel serving  
17                    on campus disciplinary or judicial  
18                    boards.”;

19                 (B) in paragraph (4), by striking all that  
20                 follows “strengthen” and inserting: “victim  
21                 services programs on the campuses of the insti-  
22                 tutions involved, including programs providing  
23                 legal, medical, or psychological counseling, for  
24                 victims of domestic violence, dating violence, or  
25                 sexual assault, and to improve delivery of victim

1 assistance on campus. To the extent prac-  
2 ticable, such an institution shall collaborate  
3 with any entities carrying out nonprofit and  
4 other victim services programs, including sexual  
5 assault, domestic violence, and dating violence  
6 victim services programs in the community in  
7 which the institution is located. If appropriate  
8 victim services programs are not available in  
9 the community or are not accessible to stu-  
10 dents, the institution shall, to the extent prac-  
11 ticable, provide a victim services program on  
12 campus or create a victim services program in  
13 collaboration with a community-based organiza-  
14 tion. The institution shall use not less than 20  
15 percent of the funds made available through the  
16 grant for a victim services program provided in  
17 accordance with this paragraph.”;

18 (C) by striking paragraphs (6) and (8);

19 and

20 (D) by redesignating paragraphs (7), (9),  
21 and (10) as paragraphs (6), (7), and (8), re-  
22 spectively;

23 (3) in subsection (c)—

24 (A) by striking paragraph (2)(B) and in-  
25 serting the following:

1 “(B) include proof that the institution of  
2 higher education collaborated with any non-  
3 profit, nongovernmental entities carrying out  
4 other victim services programs, including sexual  
5 assault, domestic violence, and dating violence  
6 victim services programs in the community in  
7 which the institution is located;” and

8 (B) in paragraph (3), by adding at the end  
9 the following: “Up to \$200,000 of the total  
10 amount of grant funds appropriated under this  
11 section during the years 2006 through 2010  
12 may be used to provide technical assistance in  
13 complying with the mandatory reporting re-  
14 quirements of such section 485(f).”;

15 (4) in subsection (d)—

16 (A) by striking paragraph (4);

17 (B) by redesignating paragraphs (2) and  
18 (3) as paragraphs (3) and (4), respectively; and

19 (C) by inserting after paragraph (1) the  
20 following:

21 “(2) CONFIDENTIALITY.—

22 “(A) NONDISCLOSURE OF CONFIDENTIAL  
23 OR PRIVATE INFORMATION.—In order to ensure  
24 the safety of adult and minor victims of domes-  
25 tic violence, dating violence, sexual assault, or

1           stalking and their families, grantees and sub-  
2           grantees under this section shall reasonably—

3                   “(i) protect the confidentiality and  
4                   privacy of persons receiving services under  
5                   the grants and subgrants; and

6                   “(ii) not disclose any personally iden-  
7                   tifying information, or individual client in-  
8                   formation, collected in connection with  
9                   services requested, utilized, or denied  
10                  through programs provided by such grant-  
11                  ees and subgrantees under this section.

12               “(B) CONSENT.—A grantee or subgrantee  
13               under this section shall not reveal personally  
14               identifying information or individual client in-  
15               formation collected as described in subpara-  
16               graph (A) without the informed, written, and  
17               reasonably time-limited consent of the person  
18               (or, in the case of an unemancipated minor, the  
19               minor and the parent or guardian of the minor)  
20               about whom information is sought, whether for  
21               the program carried out under this section or  
22               any other Federal, State, tribal, or territorial  
23               assistance program.

24               “(C) COMPELLED RELEASE AND NO-  
25               TICE.—If a grantee or subgrantee under this

1 section is compelled by statutory or court man-  
2 date to disclose information described in sub-  
3 paragraph (A), the grantee or subgrantee—

4 “(i) shall make reasonable attempts to  
5 provide notice to individuals affected by  
6 the disclosure of information; and

7 “(ii) shall take steps necessary to pro-  
8 tect the privacy and safety of the indi-  
9 vidual affected by the disclosure.

10 “(D) PERMISSIVE SHARING.—Grantees  
11 and subgrantees under this section may share  
12 with each other, in order to comply with Fed-  
13 eral, State, tribal, or territorial reporting, eval-  
14 uation, or data collection requirements—

15 “(i) aggregate data, that is not per-  
16 sonally identifying information, regarding  
17 services provided to their clients; and

18 “(ii) demographic information that is  
19 not personally identifying information.

20 “(E) COURT-GENERATED AND LAW EN-  
21 FORCEMENT-GENERATED INFORMATION.—  
22 Grantees and subgrantees under this section  
23 may share with each other—

24 “(i) court-generated information con-  
25 tained in secure, governmental registries



1 for protection order enforcement purposes;

2 and

3 “(ii) law enforcement-generated infor-  
4 mation.

5 “(F) DEFINITION.—As used in this para-  
6 graph, the term ‘personally identifying informa-  
7 tion’ means individually identifying information  
8 from or about an individual, including—

9 “(i) first and last name;

10 “(ii) home or other physical address,  
11 including street name and name of city or  
12 town;

13 “(iii) email address or other online  
14 contact information, such as an instant-  
15 messaging user identifier or a screen name  
16 that reveals an individual’s email address;

17 “(iv) telephone number;

18 “(v) social security number;

19 “(vi) Internet Protocol (‘IP’) address  
20 or host name that identifies an individual;

21 “(vii) persistent identifier, such as a  
22 customer number held in a ‘cookie’ or  
23 processor serial number, that is combined  
24 with other available data that identifies an  
25 individual; or

“(viii) information that, in combination with the information in any of clauses (i) through (vii), would serve to identify any individual, including—

“(I) grade point average;

“(II) date of birth;

“(III) academic or occupational interests;

“(IV) athletic or extracurricular interests;

“(V) racial or ethnic background;

or

“(VI) religious affiliation.”; and

(5) in subsection (g), by—

(A) striking “\$10,000,000” and inserting “\$15,000,000”;

(B) striking “2001” and inserting “2006”;

and

(C) striking “2005” and inserting “2010”.

#### **SEC. 304. SAFE HAVENS.**

Section 1301 of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 10420) is amended—

(1) by striking the section heading and inserting the following:

1 **“SEC. 10402. SAFE HAVENS FOR CHILDREN.”;**

2 (2) in subsection (a)—

3 (A) by inserting “, through the Director of  
4 the Office on Violence Against Women,” after  
5 “Attorney General”;

6 (B) by inserting “public or nonprofit non-  
7 governmental entities, and to” after “may  
8 award grants to”;

9 (C) by inserting “dating violence,” after  
10 “domestic violence,”;

11 (D) by striking “to provide” and inserting  
12 the following:

13 “(1) to provide”;

14 (E) by striking the period at the end and  
15 inserting a semicolon; and

16 (F) by adding at the end the following:

17 “(2) to protect children from the trauma of wit-  
18 nessing domestic or dating violence or experiencing  
19 abduction, injury, or death during parent and child  
20 visitation exchanges;

21 “(3) to protect parents or caretakers who are  
22 victims of domestic and dating violence from experi-  
23 encing further violence, abuse, and threats during  
24 child visitation exchanges; and

25 “(4) to protect children from the trauma of ex-  
26periencing sexual assault or other forms of physical

1 assault or abuse during parent and child visitation  
2 and visitation exchanges.”; and

3 (3) by striking subsection (e) and inserting the  
4 following:

5 “(e) AUTHORIZATION OF APPROPRIATIONS.—

6 “(1) IN GENERAL.—There is authorized to be  
7 appropriated to carry out this section, \$20,000,000  
8 for each of fiscal years 2006 through 2010. Funds  
9 appropriated under this section shall remain avail-  
10 able until expended.

11 “(2) USE OF FUNDS.—Of the amounts appro-  
12 priated to carry out this section for each fiscal year,  
13 the Attorney General shall—

14 “(A) set aside not less than 5 percent for  
15 grants to Indian tribal governments or tribal  
16 organizations;

17 “(B) use not more than 3 percent for eval-  
18 uation, monitoring, site visits, grantee con-  
19 ferences, and other administrative costs associ-  
20 ated with conducting activities under this sec-  
21 tion; and

22 “(C) set aside not more than 8 percent for  
23 technical assistance and training to be provided  
24 by organizations having nationally recognized  
25 expertise in the design of safe and secure super-

1           vised visitation programs and visitation ex-  
2           change of children in situations involving do-  
3           mestic violence, dating violence, sexual assault,  
4           or stalking.”.

5 **SEC. 305. GRANTS TO COMBAT DOMESTIC VIOLENCE, DAT-**  
6 **ING VIOLENCE, SEXUAL ASSAULT, AND**  
7 **STALKING IN MIDDLE AND HIGH SCHOOLS.**

8           (a) **SHORT TITLE.**—This section may be cited as the  
9           “Supporting Teens through Education and Protection Act  
10          of 2005” or the “STEP Act”.

11          (b) **GRANTS AUTHORIZED.**—The Attorney General,  
12          through the Director of the Office on Violence Against  
13          Women, is authorized to award grants to middle schools  
14          and high schools that work with domestic violence and sex-  
15          ual assault experts to enable the schools—

16               (1) to provide training to school administrators,  
17               faculty, counselors, coaches, healthcare providers, se-  
18               curity personnel, and other staff on the needs and  
19               concerns of students who experience domestic vio-  
20               lence, dating violence, sexual assault, or stalking,  
21               and the impact of such violence on students;

22               (2) to develop and implement policies in middle  
23               and high schools regarding appropriate, safe re-  
24               sponses to, and identification and referral proce-  
25               dures for, students who are experiencing or perpe-

1 trating domestic violence, dating violence, sexual as-  
2 sault, or stalking, including procedures for handling  
3 the requirements of court protective orders issued to  
4 or against students or school personnel, in a manner  
5 that ensures the safety of the victim and holds the  
6 perpetrator accountable;

7 (3) to provide support services for students and  
8 school personnel, such as a resource person who is  
9 either on-site or on-call, and who is an expert de-  
10 scribed in subsections (i)(2) and (i)(3), for the pur-  
11 pose of developing and strengthening effective pre-  
12 vention and intervention strategies for students and  
13 school personnel experiencing domestic violence, dat-  
14 ing violence, sexual assault or stalking;

15 (4) to provide developmentally appropriate edu-  
16 cational programming to students regarding domes-  
17 tic violence, dating violence, sexual assault, and  
18 stalking, and the impact of experiencing domestic vi-  
19 olence, dating violence, sexual assault, and stalking  
20 on children and youth by adapting existing curricula  
21 activities to the relevant student population;

22 (5) to work with existing mentoring programs  
23 and develop strong mentoring programs for stu-  
24 dents, including student athletes, to help them un-  
25 derstand and recognize violence and violent behavior,

1       how to prevent it and how to appropriately address  
2       their feelings; and

3           (6) to conduct evaluations to assess the impact  
4       of programs and policies assisted under this section  
5       in order to enhance the development of the pro-  
6       grams.

7       (c) AWARD BASIS.—The Director shall award grants  
8       and contracts under this section on a competitive basis.

9       (d) POLICY DISSEMINATION.—The Director shall dis-  
10      seminate to middle and high schools any existing Depart-  
11      ment of Justice, Department of Health and Human Serv-  
12      ices, and Department of Education policy guidance and  
13      curricula regarding the prevention of domestic violence,  
14      dating violence, sexual assault, and stalking, and the im-  
15      pact of the violence on children and youth.

16      (e) NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE  
17      INFORMATION.—In order to ensure the safety of adult and  
18      minor victims of domestic violence, dating violence, sexual  
19      assault, or stalking and their families, grantees and sub-  
20      grantees shall protect the confidentiality and privacy of  
21      persons receiving services. Grantees and subgrantees pur-  
22      suant to this section shall not disclose any personally iden-  
23      tifying information or individual information collected in  
24      connection with services requested, utilized, or denied  
25      through grantees' and subgrantees' programs. Grantees

1 and subgrantees shall not reveal individual client informa-  
2 tion without the informed, written, reasonably time-limited  
3 consent of the person (or in the case of unemancipated  
4 minor, the minor and the parent or guardian) about whom  
5 information is sought, whether for this program or any  
6 other Tribal, Federal, State or Territorial grant program.  
7 If release of such information is compelled by statutory  
8 or court mandate, grantees and subgrantees shall make  
9 reasonable attempts to provide notice to victims affected  
10 by the disclosure of information. If such personally identi-  
11 fying information is or will be revealed, grantees and sub-  
12 grantees shall take steps necessary to protect the privacy  
13 and safety of the persons affected by the release of the  
14 information. Grantees may share non-personally identi-  
15 fying data in the aggregate regarding services to their cli-  
16 ents and non-personally identifying demographic informa-  
17 tion in order to comply with Tribal, Federal, State or Ter-  
18 ritorial reporting, evaluation, or data collection require-  
19 ments. Grantees and subgrantees may share court-gen-  
20 erated information contained in secure, governmental reg-  
21 istries for protection order enforcement purposes.

22 (f) GRANT TERM AND ALLOCATION.—

23 (1) TERM.—The Director shall make the grants  
24 under this section for a period of 3 fiscal years.



1           (2) ALLOCATION.—Not more than 15 percent  
2       of the funds available to a grantee in a given year  
3       shall be used for the purposes described in sub-  
4       section (b)(4)(D), (b),(5), and (b)(6).

5       (g) DISTRIBUTION.—

6           (1) IN GENERAL.—Not less than 5 percent of  
7       funds appropriated under section (l) in any year  
8       shall be available for grants to tribal schools, schools  
9       on tribal lands or schools whose student population  
10      is more than 25 percent native American.

11          (2) ADMINISTRATION.—The Director shall not  
12      use more than 5 percent of funds appropriated  
13      under section (l) in any year for administration,  
14      monitoring and evaluation of grants made available  
15      under this section.

16          (3) TECHNICAL ASSISTANCE.—Not less than 5  
17      percent of funds appropriated under section (l) in  
18      any year shall be available to provide technical as-  
19      sistance for programs funded under this section.

20       (h) APPLICATION.—To be eligible to be awarded a  
21      grant or contract under this section for any fiscal year,  
22      a middle or secondary school, in consultation with an ex-  
23      pert as described in sections (i)(2) and (i)(3), shall submit  
24      an application to the Director at such time and in such  
25      manner as the Director shall prescribe.

1 (i) ELIGIBLE ENTITIES.—To be eligible to receive a  
2 grant under this section, an entity shall be a partnership  
3 that—

4 (1) shall include a public, charter, tribal, or na-  
5 tionally accredited private middle or high school, a  
6 school administered by the Department of Defense  
7 under 10 U.S.C. 2164 or 20 U.S.C. 921, a group of  
8 schools, or a school district;

9 (2) shall include a domestic violence victim  
10 service provider that has a history of working on do-  
11 mestic violence and the impact that domestic vio-  
12 lence and dating violence have on children and  
13 youth;

14 (3) shall include a sexual assault victim service  
15 provider, such as a rape crisis center, program serv-  
16 ing tribal victims of sexual assault, or coalition or  
17 other nonprofit nongovernmental organization car-  
18 rying out a community-based sexual assault pro-  
19 gram, that has a history of effective work concerning  
20 sexual assault and the impact that sexual assault  
21 has on children and youth; and

22 (4) may include a law enforcement agency, the  
23 State, Tribal, Territorial or local court, nonprofit  
24 nongovernmental organizations and service providers  
25 addressing sexual harassment, bullying or gang-re-

1       lated violence in schools, and any other such agen-  
2       cies or nonprofit nongovernmental organizations  
3       with the capacity to provide effective assistance to  
4       the child, youth, and adult victims served by the  
5       partnership.

6       (j) PRIORITY.—In awarding grants under this sec-  
7       tion, the Director shall give priority to entities that have  
8       submitted applications in partnership with relevant courts  
9       or law enforcement agencies.

10       (k) REPORTING AND DISSEMINATION OF INFORMA-  
11       TION.—

12               (1) REPORTING.—Each of the entities that are  
13       members of the applicant partnership described in  
14       subsection (i), that receive a grant under this section  
15       shall jointly prepare and submit to the Director  
16       every 18 months a report detailing the activities that  
17       the entities have undertaken under the grant and  
18       such additional information as the Director shall re-  
19       quire.

20               (2) DISSEMINATION OF INFORMATION.—Within  
21       9 months of the completion of the first full grant  
22       cycle, the Director shall publicly disseminate, includ-  
23       ing through electronic means, model policies and  
24       procedures developed and implemented in middle  
25       and high schools by the grantees, including informa-

tion on the impact the policies have had on their respective schools and communities.

(l) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section, \$5,000,000 for each of fiscal years 2006 through 2010.

(2) AVAILABILITY.—Funds appropriated under paragraph (1) shall remain available until expended.

**TITLE IV—STRENGTHENING  
AMERICA’S FAMILIES BY PRE-  
VENTING VIOLENCE IN THE  
HOME**

**SEC. 401. PREVENTING VIOLENCE AGAINST WOMEN, MEN,  
AND CHILDREN.**

The Violence Against Women Act of 1994 (108 Stat. 1902 et seq.), as amended by section \_\_\_\_ of this Act, is amended by adding at the end the following:

**“Subtitle N—Strengthening Amer-  
ica’s Families by Preventing Vi-  
olence Against Women and Chil-  
dren**

**“SEC. 41401. PURPOSE.**

“The purpose of this subtitle is to—

“(1) prevent crimes involving violence against women, men, children, and youth;

1           “(2) increase the resources and services avail-  
2           able to prevent violence against women, men, chil-  
3           dren, and youth;

4           “(3) reduce the impact of exposure to violence  
5           in the lives of children and youth so that the  
6           intergenerational cycle of violence is interrupted;

7           “(4) develop and implement education and serv-  
8           ices programs to prevent children in vulnerable fami-  
9           lies from becoming victims or perpetrators of domes-  
10          tic violence, dating violence, sexual assault, or stalk-  
11          ing;

12          “(5) promote programs to ensure that children  
13          and youth receive the assistance they need to end  
14          the cycle of violence against women and children and  
15          develop mutually respectful, nonviolent relationships;  
16          and

17          “(6) encourage collaboration among community-  
18          based organizations and governmental agencies serv-  
19          ing children and youth, providers of health and men-  
20          tal health services and providers of domestic vio-  
21          lence, dating violence, sexual assault, and stalking  
22          victim services to prevent violence against women  
23          and children.

1 **“SEC. 41402. GRANTS TO ASSIST CHILDREN AND YOUTH EX-**  
2 **POSED TO VIOLENCE.**

3 “(a) GRANTS AUTHORIZED.—

4 “(1) IN GENERAL.—The Attorney General, act-  
5 ing through the Director of the Office on Violence  
6 Against Women, and in collaboration with the Ad-  
7 ministration for Children, Youth, and Families of  
8 the Department of Health and Human Services, is  
9 authorized to award grants on a competitive basis to  
10 eligible entities for the purpose of mitigating the ef-  
11 fects of domestic violence, dating violence, sexual as-  
12 sault, and stalking on children exposed to such vio-  
13 lence, and reducing the risk of future victimization  
14 or perpetration of domestic violence, dating violence,  
15 sexual assault, and stalking.

16 “(2) TERM.—The Director shall make grants  
17 under this section for a period of 3 fiscal years.

18 “(3) AWARD BASIS.—The Director shall award  
19 grants—

20 “(A) considering the needs of racial and  
21 ethnic and other underserved populations, as  
22 defined in section 2003 of the Omnibus Crime  
23 Control and Safe Streets Act of 1968 (42  
24 U.S.C. 3796gg-2);

25 “(B) awarding not less than 10 percent of  
26 such amounts for the funding of tribal projects

1 from the amounts made available under this  
2 section for a fiscal year;

3 “(C) awarding up to 8 percent for the  
4 funding of technical assistance programs from  
5 the amounts made available under this section  
6 for a fiscal year; and

7 “(D) awarding not less than 66 percent to  
8 programs described in subsection (c)(1) from  
9 the amounts made available under this section  
10 for a fiscal year.

11 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
12 is authorized to be appropriated to carry out this section  
13 \$20,000,000 for each of fiscal years 2006 through 2010.

14 “(c) USE OF FUNDS.—The funds appropriated under  
15 this section shall be used for—

16 “(1) programs that provide services for children  
17 exposed to domestic violence, dating violence, sexual  
18 assault, or stalking, which may include direct coun-  
19 seling, advocacy, or mentoring, and must include  
20 support for the nonabusing parent or the child’s  
21 caretaker;

22 “(2) training and coordination for programs  
23 that serve children and youth (such as Head Start,  
24 child care, and after-school programs) on how to  
25 safely and confidentially identify children and fami-

1 lies experiencing domestic violence and properly refer  
2 them to programs that can provide direct services to  
3 the family and children, and coordination with other  
4 domestic violence or other programs serving children  
5 exposed to domestic violence, dating violence, sexual  
6 assault, or stalking that can provide the training  
7 and direct services referenced in this subsection; or

8 “(3) advocacy within the systems that serve  
9 children to improve the system’s understanding of  
10 and response to children who have been exposed to  
11 domestic violence and the needs of the nonabusing  
12 parent.

13 “(d) ELIGIBLE ENTITIES.—To be eligible to receive  
14 a grant under this section, an entity shall be a—

15 “(1) a victim service provider, tribal nonprofit  
16 organization or community-based organization that  
17 has a documented history of effective work con-  
18 cerning children or youth exposed to domestic vio-  
19 lence, dating violence, sexual assault, or stalking, in-  
20 cluding programs that provide culturally specific  
21 services, Head Start, child care, after school pro-  
22 grams, and health and mental health providers; or

23 “(2) a State, territorial, or tribal, or local unit  
24 of government agency that is partnered with an or-  
25 ganization described in paragraph (1).



1       “(e) GRANTEE REQUIREMENTS.—Under this section,  
2 an entity shall—

3               “(1) prepare and submit to the Director an ap-  
4 plication at such time, in such manner, and con-  
5 taining such information as the Director may re-  
6 quire; and

7               “(2) at a minimum, describe in the application  
8 the policies and procedures that the entity has or  
9 will adopt to—

10               “(A) enhance or ensure the safety and se-  
11 curity of children who have been exposed to vio-  
12 lence and their nonabusing parent, enhance or  
13 ensure the safety and security of children and  
14 their nonabusing parent in homes already expe-  
15 riencing domestic violence, dating violence, sex-  
16 ual assault, or stalking; and

17               “(B) ensure linguistically, culturally, and  
18 community relevant services for racial and eth-  
19 nic and other underserved communities.

20       “(f) REPORTS.—An entity receiving a grant under  
21 this section shall prepare and submit to the Director every  
22 18 months a report detailing the activities undertaken  
23 with grant funds, providing additional information as the  
24 Director shall require.

1 **“SEC. 41403. ENGAGING MEN, WOMEN, AND YOUTH IN PRE-**  
2 **VENTING DOMESTIC VIOLENCE, DATING VIO-**  
3 **LENCE, SEXUAL ASSAULT, AND STALKING.**

4 “(a) GRANTS AUTHORIZED.—

5 “(1) IN GENERAL.—The Attorney General, act-  
6 ing through the Director of the Office on Violence  
7 Against Women, and in collaboration with the Sec-  
8 retary of Health and Human Services, shall award  
9 grants on a competitive basis to eligible entities for  
10 the purpose of developing or enhancing programs re-  
11 lated to engaging men, women, and youth in pre-  
12 venting domestic violence, dating violence, sexual as-  
13 sault, and stalking by helping them to develop mutu-  
14 ally respectful, nonviolent relationships.

15 “(2) TERM.—The Director shall make grants  
16 under this section for a period of 3 fiscal years.

17 “(3) AWARD BASIS.—The Director shall award  
18 grants—

19 “(A) considering the needs of racial and  
20 ethnic and other underserved populations (as  
21 described in section 40002);

22 “(B) with respect to gender-specific pro-  
23 grams described under subsection (c)(1)(A), en-  
24 suring reasonable distribution of funds to pro-  
25 grams for boys and programs for girls;

1           “(C) awarding not less than 10 percent of  
2           such amounts for the funding of tribal projects  
3           from the amounts made available under this  
4           section for a fiscal year; and

5           “(D) awarding up to 8 percent for the  
6           funding of technical assistance for grantees and  
7           non-grantees working in this area and evalua-  
8           tion programs from the amounts made available  
9           under this section for a fiscal year.

10          “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
11       is authorized to be appropriated to carry out this section  
12       \$15,000,000 for each of fiscal years 2006 through 2010.

13          “(c) USE OF FUNDS.—

14               “(1) PROGRAMS.—The funds appropriated  
15       under this section shall be used by eligible entities  
16       for—

17                       “(A) public education and community  
18       based programs, including gender-specific pro-  
19       grams in accordance with applicable laws—

20                               “(i) to encourage children and youth  
21       to pursue only mutually respectful, non-  
22       violent relationships and empower them to  
23       reduce their risk of becoming victims or  
24       perpetrators of domestic violence, dating  
25       violence, sexual assault, or stalking; and

1 “(ii) that include at a minimum—

2 “(I) information on domestic vio-  
3 lence, dating violence, sexual assault,  
4 stalking, or child sexual abuse and  
5 how they affect children and youth;  
6 and

7 “(II) strategies to help partici-  
8 pants be as safe as possible; or

9 “(B) public education campaigns and com-  
10 munity organizing to encourage men and boys  
11 to work as allies with women and girls to pre-  
12 vent domestic violence, dating violence, stalking,  
13 and sexual assault conducted by entities that  
14 have experience in conducting public education  
15 campaigns that address domestic violence, dat-  
16 ing violence, sexual assault, or stalking.

17 “(2) MEDIA LIMITS.—No more than 25 percent  
18 of funds received by a grantee under this section  
19 may be used to create and distribute media mate-  
20 rials.

21 “(d) ELIGIBLE ENTITIES.—

22 “(1) RELATIONSHIPS.—Eligible entities under  
23 subsection (c)(1)(A) are—

1           “(A) nonprofit, nongovernmental domestic  
2           violence, dating violence, sexual assault, or  
3           stalking victim service providers or coalitions;

4           “(B) community-based child or youth serv-  
5           ices organizations with demonstrated experience  
6           and expertise in addressing the needs and con-  
7           cerns of young people;

8           “(C) a State, territorial, tribal, or unit of  
9           local governmental entity that is partnered with  
10          an organization described in subparagraph (A)  
11          or (B); or

12          “(D) a program that provides culturally  
13          specific services.

14          “(2) AWARENESS CAMPAIGN.—Eligible entities  
15          under subsection (c)(1)(B) are—

16               “(A) nonprofit, nongovernmental organiza-  
17               tions or coalitions that have a documented his-  
18               tory of creating and administering effective  
19               public education campaigns addressing the pre-  
20               vention of domestic violence, dating violence,  
21               sexual assault or stalking; or

22               “(B) a State, territorial, tribal, or unit of  
23               local governmental entity that is partnered with  
24               an organization described in subparagraph (A).

1       “(e) GRANTEE REQUIREMENTS.—Under this section,  
2 an entity shall—

3           “(1) prepare and submit to the Director an ap-  
4 plication at such time, in such manner, and con-  
5 taining such information as the Director may re-  
6 quire; and

7           “(2) describe in the application the policies and  
8 procedures that the entity has or will adopt to—

9           “(A) enhance or ensure the safety and se-  
10 curity of children and youth already experi-  
11 encing domestic violence, dating violence, sexual  
12 assault, or stalking in their lives;

13           “(B) ensure linguistically, culturally, and  
14 community relevant services for racial, ethnic,  
15 and other underserved communities;

16           “(C) inform participants about laws, serv-  
17 ices, and resources in the community, and make  
18 referrals as appropriate; and

19           “(D) ensure that State and local domestic  
20 violence, dating violence, sexual assault, and  
21 stalking victim service providers and coalitions  
22 are aware of the efforts of organizations receiv-  
23 ing grants under this section.

24       “(f) REPORTS.—An entity receiving a grant under  
25 this section shall prepare and submit to the Director every

1 18 months a report detailing the activities undertaken  
2 with grant funds, including an evaluation of funded pro-  
3 grams and providing additional information as the Direc-  
4 tor shall require.”.

5 **TITLE V—STRENGTHENING THE**  
6 **HEALTHCARE SYSTEM’S RE-**  
7 **SPONSE TO DOMESTIC VIO-**  
8 **LENCE, DATING VIOLENCE,**  
9 **SEXUAL ASSAULT, AND**  
10 **STALKING**

11 **SEC. 501. PURPOSE.**

12 It is the purpose of this title to improve the health  
13 care system’s response to domestic violence, dating vio-  
14 lence, sexual assault, and stalking through the training  
15 and education of health care providers, developing com-  
16 prehensive public health responses to violence.

17 **SEC. 502. TRAINING AND EDUCATION OF HEALTH PROFES-**  
18 **SIONALS IN DOMESTIC AND SEXUAL VIO-**  
19 **LENCE.**

20 Part D of title VII of the Public Health Service Act  
21 (42 U.S.C. 294 et seq.) is amended by adding at the end  
22 the following:

1 **“SEC. 758. INTERDISCIPLINARY TRAINING AND EDUCATION**  
2 **ON DOMESTIC VIOLENCE AND OTHER TYPES**  
3 **OF VIOLENCE AND ABUSE.**

4 “(a) GRANTS.—The Secretary, acting through the  
5 Director of the Health Resources and Services Adminis-  
6 tration, shall award grants under this section to develop  
7 interdisciplinary training and education programs that  
8 provide undergraduate, graduate, post-graduate medical,  
9 nursing (including advanced practice nursing students),  
10 and other health professions students with an under-  
11 standing of, and clinical skills pertinent to, domestic vio-  
12 lence, sexual assault, stalking, and dating violence.

13 “(b) ELIGIBILITY.—To be eligible to receive a grant  
14 under this section an entity shall—

15 “(1) be an accredited school of allopathic or os-  
16 teopathic medicine;

17 “(2) prepare and submit to the Secretary an  
18 application at such time, in such manner, and con-  
19 taining such information as the Secretary may re-  
20 quire, including—

21 “(A) information to demonstrate that the  
22 applicant includes the meaningful participation  
23 of a school of nursing and at least one other  
24 school of health professions or graduate pro-  
25 gram in public health, dentistry, social work,  
26 midwifery, or behavioral and mental health;



1 “(B) strategies for the dissemination and  
2 sharing of curricula and other educational ma-  
3 terials developed under the grant to other inter-  
4 ested medical and nursing schools and national  
5 resource repositories for materials on domestic  
6 violence and sexual assault; and

7 “(C) a plan for consulting with, and com-  
8 pensating community-based coalitions or indi-  
9 viduals who have experience and expertise in  
10 issues related to domestic violence, sexual as-  
11 sault, dating violence, and stalking for services  
12 provided under the program carried out under  
13 the grant.

14 “(c) USE OF FUNDS.—

15 “(1) REQUIRED USES.—Amounts provided  
16 under a grant under this section shall be used to—

17 “(A) fund interdisciplinary training and  
18 education projects that are designed to train  
19 medical, nursing, and other health professions  
20 students and residents to identify and provide  
21 health care services (including mental or behav-  
22 ioral health care services and referrals to appro-  
23 priate community services) to individuals who  
24 are or who have experienced domestic violence,

1 sexual assault, and stalking or dating violence;  
2 and

3 “(B) plan and develop culturally competent  
4 clinical components for integration into ap-  
5 proved residency training programs that ad-  
6 dress health issues related to domestic violence,  
7 sexual assault, dating violence, and stalking,  
8 along with other forms of violence as appro-  
9 priate, and include the primacy of victim safety  
10 and confidentiality.

11 “(2) PERMISSIVE USES.—Amounts provided  
12 under a grant under this section may be used to—

13 “(A) offer community-based training op-  
14 portunities in rural areas for medical, nursing,  
15 and other students and residents on domestic  
16 violence, sexual assault, stalking, and dating vi-  
17 olence, and other forms of violence and abuse,  
18 which may include the use of distance learning  
19 networks and other available technologies need-  
20 ed to reach isolated rural areas; or

21 “(B) provide stipends to students from ra-  
22 cial and ethnic population groups who are  
23 underrepresented in the health professions as  
24 necessary to promote and enable their partici-  
25 pation in clerkships, preceptorships, or other

1 offsite training experiences that are designed to  
2 develop health care clinical skills related to do-  
3 mestic violence, sexual assault, dating violence,  
4 and stalking.

5 “(3) REQUIREMENTS.—

6 “(A) CONFIDENTIALITY AND SAFETY.—  
7 Grantees under this section shall ensure that all  
8 educational programs developed with grant  
9 funds address issues of confidentiality and pa-  
10 tient safety, and that faculty and staff associ-  
11 ated with delivering educational components are  
12 fully trained in procedures that will protect the  
13 immediate and ongoing security of the patients,  
14 patient records, and staff. Advocacy-based coali-  
15 tions or other expertise available in the commu-  
16 nity shall be consulted on the development and  
17 adequacy of confidentially and security proce-  
18 dures, and shall be fairly compensated by  
19 grantees for their services.

20 “(B) RURAL PROGRAMS.—Rural training  
21 programs carried out under paragraph (2)(A)  
22 shall reflect adjustments in protocols and proce-  
23 dures or referrals that may be needed to protect  
24 the confidentiality and safety of patients who  
25 live in small or isolated communities and who

1           are currently or have previously experienced vio-  
2           lence or abuse.

3           “(4) CHILD AND ELDER ABUSE.—Issues related  
4           to child and elder abuse may be addressed as part  
5           of a comprehensive programmatic approach imple-  
6           mented under a grant under this section.

7           “(d) REQUIREMENTS OF GRANTEES.—

8           “(1) LIMITATION ON ADMINISTRATIVE EX-  
9           PENSES.—A grantee shall not use more than 10 per-  
10          cent of the amounts received under a grant under  
11          this section for administrative expenses.

12          “(2) CONTRIBUTION OF FUNDS.—A grantee  
13          under this section, and any entity receiving assist-  
14          ance under the grant for training and education,  
15          shall contribute non-Federal funds, either directly or  
16          through in-kind contributions, to the costs of the ac-  
17          tivities to be funded under the grant in an amount  
18          that is not less than 25 percent of the total cost of  
19          such activities.

20          “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
21          is authorized to be appropriated to carry out this section,  
22          \$3,000,000 for each of fiscal years 2006 through 2010.  
23          Amounts appropriated under this subsection shall remain  
24          available until expended.”.

1 **SEC. 503. GRANTS TO FOSTER PUBLIC HEALTH RESPONSES**  
2 **TO DOMESTIC VIOLENCE, DATING VIOLENCE,**  
3 **SEXUAL ASSAULT, AND STALKING GRANTS.**

4 Part P of title III of the Public Health Service Act  
5 (42 U.S.C. 280g et seq.) is amended by adding at the end  
6 the following:

7 **“SEC. 399P. GRANTS TO FOSTER PUBLIC HEALTH RE-**  
8 **SPONSES TO DOMESTIC VIOLENCE, DATING**  
9 **VIOLENCE, SEXUAL ASSAULT, AND STALKING.**

10 **“(a) AUTHORITY TO AWARD GRANTS.—**

11 **“(1) IN GENERAL.—**The Secretary, acting  
12 through the Director of the Centers for Disease  
13 Control and Prevention, shall award grants to eligi-  
14 ble State, tribal, territorial, or local entities to  
15 strengthen the response of State, tribal, territorial,  
16 or local health care systems to domestic violence,  
17 dating violence, sexual assault, and stalking.

18 **“(2) ELIGIBLE ENTITIES.—**To be eligible to re-  
19 ceive a grant under this section, an entity shall—

20 **“(A) be—**

21 **“(i)** a State department (or other divi-  
22 sion) of health, a State domestic or sexual  
23 assault coalition or service-based program,  
24 or any other nonprofit, nongovernmental,  
25 tribal, territorial, or State entity with a  
26 history of effective work in the fields of do-

1           mestic violence, dating violence, sexual as-  
2           sault or stalking, and health care; or

3           “(ii) a nonprofit domestic violence,  
4           dating violence, sexual assault, or stalking  
5           service-based program, a local department  
6           (or other division) of health, a local health  
7           clinic, hospital, or health system, or any  
8           other nonprofit, tribal, or local entity with  
9           a history of effective work in the field of  
10          domestic or sexual violence and health;

11          “(B) prepare and submit to the Secretary  
12          an application at such time, in such manner,  
13          and containing such agreements, assurances,  
14          and information as the Secretary determines to  
15          be necessary to carry out the purposes for  
16          which the grant is to be made; and

17          “(C) demonstrate that the entity is rep-  
18          resenting a team of organizations and agencies  
19          working collaboratively to strengthen the re-  
20          sponse of the health care system involved to do-  
21          mestic violence, dating violence, sexual assault,  
22          or stalking and that such team includes domes-  
23          tic violence, dating violence, sexual assault or  
24          stalking and health care organizations.

1           “(3) DURATION.—A program conducted under  
2           a grant awarded under this section shall not exceed  
3           3 years.

4           “(b) USE OF FUNDS.—

5           “(1) IN GENERAL.—An entity shall use  
6           amounts received under a grant under this section to  
7           design and implement comprehensive strategies to  
8           improve the response of the health care system in-  
9           volved to domestic or sexual violence in clinical and  
10          public health settings, hospitals, clinics, managed  
11          care settings (including behavioral and mental  
12          health), and other health settings.

13          “(2) MANDATORY STRATEGIES.—Strategies im-  
14          plemented under paragraph (1) shall include the fol-  
15          lowing:

16               “(A) The implementation, dissemination,  
17               and evaluation of policies and procedures to  
18               guide health care professionals and behavioral  
19               and public health staff in responding to domes-  
20               tic violence, dating violence, sexual assault, and  
21               stalking, including strategies to ensure that  
22               health information is maintained in a manner  
23               that protects the patient’s privacy and safety  
24               and prohibits insurance discrimination.

1           “(B) The development of on-site access to  
2           services to address the safety, medical, mental  
3           health, and economic needs of patients either by  
4           increasing the capacity of existing health care  
5           professionals and behavioral and public health  
6           staff to address domestic violence, dating vio-  
7           lence, sexual assault, and stalking, by con-  
8           tracting with or hiring domestic or sexual as-  
9           sault advocates to provide the services, or to  
10          model other services appropriate to the geo-  
11          graphic and cultural needs of a site.

12          “(C) The development or adaptation and  
13          dissemination of education materials for pa-  
14          tients and health care professionals and behav-  
15          ioral and public health staff.

16          “(D) The evaluation of practice and the in-  
17          stitutionalization of identification, intervention,  
18          and documentation including quality improve-  
19          ment measurements.

20          “(3) PERMISSIVE STRATEGIES.—Strategies im-  
21          plemented under paragraph (1) may include the fol-  
22          lowing:

23                 “(A) Where appropriate, the development  
24                 of training modules and policies that address  
25                 the overlap of child abuse, domestic violence,



1 dating violence, sexual assault, and stalking and  
2 elder abuse as well as childhood exposure to do-  
3 mestic violence.

4 “(B) The creation, adaptation, and imple-  
5 mentation of public education campaigns for  
6 patients concerning domestic violence, dating vi-  
7 olence, sexual assault, and stalking prevention.

8 “(C) The development, adaptation, and  
9 dissemination of domestic violence, dating vio-  
10 lence, sexual assault, and stalking education  
11 materials to patients and health care profes-  
12 sionals and behavioral and public health staff.

13 “(D) The promotion of the inclusion of do-  
14 mestic violence, dating violence, sexual assault,  
15 and stalking into health professional training  
16 schools, including medical, dental, nursing  
17 school, social work, and mental health cur-  
18 riculum.

19 “(E) The integration of domestic violence,  
20 dating violence, sexual assault, and stalking  
21 into health care accreditation and professional  
22 licensing examinations, such as medical, dental,  
23 social work, and nursing boards.

1       “(c) ALLOCATION OF FUNDS.—Funds appropriated  
2 under this section shall be distributed equally between  
3 State and local programs.

4       “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
5 is authorized to be appropriated to award grants under  
6 this section, \$5,000,000 for each of fiscal years 2006  
7 through 2010.”.

8   **SEC. 504. IMPROVING FEDERAL HEALTH PROGRAMS’ RE-**  
9                   **SPONSE TO DOMESTIC VIOLENCE, DATING VI-**  
10                  **OLENCE, SEXUAL ASSAULT, AND STALKING.**

11       (a) TRAINING GRANTS UNDER THE MATERNAL AND  
12 CHILD HEALTH SERVICES BLOCK GRANT.—

13           (1) PREFERENCE IN CERTAIN FUNDING.—Sec-  
14 tion 502(b)(2) of the Social Security Act (42 U.S.C.  
15 702(b)(2)) is amended by adding at the end the fol-  
16 lowing:

17       “(C) Of the amounts retained for projects described  
18 in subparagraphs (A) through (F) of section 501(a)(3),  
19 the Secretary shall provide preference to qualified appli-  
20 cants that demonstrate that the activities to be carried  
21 out with such amounts include training of service pro-  
22 viders in how to identify and treat the health effects of  
23 domestic violence, dating violence, sexual assault, or stalk-  
24 ing, including children who have been exposed to domestic  
25 or dating violence. Such training should include—

1           “(i) identifying patients of clients experiencing  
2           domestic violence, dating violence sexual assault, or  
3           stalking;

4           “(ii) assessing the immediate and short-term  
5           safety of the patient or client, the impact of the  
6           abuse on the health of the patient, and assisting the  
7           patient in developing a plan to promote his or her  
8           safety;

9           “(iii) examining and treating such patients or  
10          clients within the scope of the health professional’s  
11          discipline, training, and practice (including providing  
12          medical advice regarding the dynamics and nature of  
13          domestic violence, dating violence sexual assault, or  
14          stalking);

15          “(iv) maintaining complete medical or forensic  
16          records that include the documentation of the exam-  
17          ination, treatment given, and referrals made, and re-  
18          cording the location and nature of the victim’s inju-  
19          ries, and establishing mechanisms to ensure the pri-  
20          vacy and confidentiality of those medical records;

21          “(v) referring the patient or client to public and  
22          private nonprofit entities that provide services for  
23          such victims; and

24          “(vi) ensuring that all services are provided in  
25          a linguistically and culturally relevant manner.”.

1           (2) REQUIREMENT FOR PORTION OF EXPENDI-  
2           TURES ON DOMESTIC VIOLENCE IDENTIFICATION  
3           AND TREATMENT.—Section 505(a)(5) of the Social  
4           Security Act (42 U.S.C. 705(a)(5)) is amended—

5                   (A) in subparagraph (E), by striking  
6                   “and” at the end;

7                   (B) in subparagraph (F), by striking the  
8                   period and inserting “; and”; and

9                   (C) by inserting after subparagraph (F),  
10                  the following:

11                   “(G) the State will set aside a reasonable  
12                   portion (based upon the State’s previous use of  
13                   funds under this title) of the funds provided for  
14                   domestic violence, dating violence, sexual as-  
15                   sault, or stalking services.”.

16           (3) REPORTING DATA.—Section 506(a)(2) of  
17           the Social Security Act (42 U.S.C. 706(a)(2)) is  
18           amended by inserting after subparagraph (E) the  
19           following:

20                   “(F) Information on how funds provided under  
21                   this title are used to identify and treat domestic vio-  
22                   lence, dating violence, sexual assault, or stalking.”.

23           (4) SEPARATE PROGRAM FOR DOMESTIC VIO-  
24           LENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND  
25           STALKING IDENTIFICATION AND TREATMENT.—Title

1 V of the Social Security Act (42 U.S.C. 701 et seq.)  
2 is amended by adding at the end the following:

3 **“SEC. 511. SEPARATE PROGRAM FOR DOMESTIC VIOLENCE,**  
4 **DATING VIOLENCE, SEXUAL ASSAULT AND**  
5 **STALKING SCREENING AND TREATMENTS.**

6 “(a) ALLOTMENTS.—For the purpose described in  
7 subsection (b), the Secretary shall, for fiscal year 2006  
8 and each subsequent fiscal year, allot to each State that  
9 has transmitted an application for the fiscal year under  
10 section 505(a) an amount equal to the product of—

11 “(1) the amount appropriated under subsection  
12 (d) for the fiscal year; and

13 “(2) the percentage determined for the State  
14 under section 502(c)(1)(B)(ii).

15 “(b) PURPOSE.—The purpose of an allotment under  
16 subsection (a) with respect to a State is to enable the  
17 State to provide for domestic violence, dating violence, sex-  
18 ual assault, or stalking identification and treatment, in-  
19 cluding the provision of domestic violence, dating violence,  
20 sexual assault, or stalking identification, treatment serv-  
21 ices, increasing the number of persons identified, assessed,  
22 treated, and referred, and including training of health care  
23 professionals, and behavioral and public health staff, on  
24 how to identify and respond to adult and minor patients

1 experiencing domestic violence, dating violence, sexual as-  
2 sault, or stalking. Such training shall include—

3 “(1) identifying patients of clients experiencing  
4 domestic violence, dating violence sexual assault, or  
5 stalking;

6 “(2) assessing the immediate and short-term  
7 safety of the patient or client, the impact of the  
8 abuse on the health of the patient, and assisting the  
9 patient in developing a plan to promote his or her  
10 safety;

11 “(3) examining and treating such patients or  
12 clients within the scope of the health professional’s  
13 discipline, training, and practice (including providing  
14 medical advice regarding the dynamics and nature of  
15 domestic violence, dating violence sexual assault, or  
16 stalking);

17 “(4) maintaining complete medical or forensic  
18 records that include the documentation of the exam-  
19 ination, treatment given, and referrals made, and re-  
20 cording the location and nature of the victim’s inju-  
21 ries, and establishing mechanisms to ensure the pri-  
22 vacy and confidentiality of those medical records;

23 “(5) referring the patient or client to public and  
24 private nonprofit entities that provide services for  
25 such victims; and

1           “(6) ensuring that all services are provided in  
2           a linguistically and culturally relevant manner.

3           “(c) APPLICATION OF PROVISIONS.—

4           “(1) IN GENERAL.—Sections 503, 507, and 508  
5           apply to allotments under subsection (a) to the same  
6           extent and in the same manner as such sections  
7           apply to allotments under section 502(c).

8           “(2) SECRETARIAL DISCRETION.—Sections 505  
9           and 506 apply to allotments under subsection (a) to  
10          the extent determined by the Secretary to be appro-  
11          priate.

12          “(d) AUTHORIZATION OF APPROPRIATIONS.—For the  
13          purpose of making allotments under subsection (a), there  
14          are authorized to be appropriated \$4,000,000 for each of  
15          fiscal years 2006 through 2010.”.

16          (b) DOMESTIC VIOLENCE, DATING VIOLENCE, SEX-  
17          UAL ASSAULT, AND STALKING IDENTIFICATION AND  
18          TREATMENT SERVICES AT COMMUNITY HEALTH CEN-  
19          TERS.—Part P of title III of the Public Health Service  
20          Act (42 U.S.C. 280g et seq.), as amended by section 504,  
21          is further amended by adding at the end the following:

1 **“SEC. 399P-1. DOMESTIC VIOLENCE, DATING VIOLENCE,**  
2 **SEXUAL ASSAULT AND STALKING PREVEN-**  
3 **TION, IDENTIFICATION, AND TREATMENT**  
4 **GRANTS.**

5 “(a) GRANTS AUTHORIZED.—The Secretary is au-  
6 thorized to award grants to eligible entities to improve the  
7 identification and treatment of domestic violence, dating  
8 violence, sexual assault, or stalking.

9 “(b) USE OF FUNDS.—Grants awarded under sub-  
10 section (a) may be used for activities such as—

11 “(1) the implementation, dissemination, and  
12 evaluation of policies and procedures to guide health  
13 care and behavioral health care professionals and  
14 other staff responding to domestic violence, dating  
15 violence, sexual assault, or stalking;

16 “(2) the provision of training and follow-up  
17 technical assistance to health care professionals and  
18 staff to identify domestic violence, dating violence,  
19 sexual assault, or stalking, and to appropriately as-  
20 sess, treat, and refer patients who are victims of do-  
21 mestic violence, dating violence, sexual assault, or  
22 stalking; and

23 “(3) the development of on-site access to serv-  
24 ices to address the safety, medical, mental health,  
25 and economic needs of patients either by increasing  
26 the capacity of existing health care professionals and



1 staff to address these issues or by contracting with  
2 or hiring domestic violence or sexual assault advo-  
3 cates to provide the services, or by developing other  
4 models appropriate to the geographic, cultural, and  
5 linguistic needs of a site.

6 “(c) ELIGIBILITY.—To be eligible for a grant under  
7 this section, an entity shall—

8 “(1) be a federally qualified health center as de-  
9 fined in section 1861(aa)(4) of the Social Security  
10 Act (42 U.S.C. 1395x(aa)(4)); and

11 “(2) prepare and submit to the Secretary an  
12 application at such time, in such manner, and ac-  
13 companied by such information as the Secretary may  
14 require.

15 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
16 is authorized to be appropriated to carry out this section,  
17 \$4,000,000 for each of fiscal years 2006 through 2010.”.

18 **SEC. 505. RESEARCH ON EFFECTIVE INTERVENTIONS IN**  
19 **THE HEALTHCARE SETTING.**

20 Subtitle B of the Violence Against Women Act of  
21 1994 (Public Law 103–322; 108 Stat. 1902 et seq.), as  
22 amended by the Violence Against Women Act of 2000  
23 (114 Stat. 1491 et seq.), and as amended by this Act,  
24 is further amended by adding at the end the following:

1 **“CHAPTER 11—RESEARCH ON EFFECTIVE**  
2 **INTERVENTIONS TO ADDRESS VIO-**  
3 **LENCE AGAINST WOMEN**

4 **“SEC. 40297. RESEARCH ON EFFECTIVE INTERVENTIONS IN**  
5 **THE HEALTH CARE SETTING.**

6 “(a) PURPOSE.—The Secretary, acting through the  
7 Director of the Centers for Disease Control and Preven-  
8 tion and the Director of the Agency for Healthcare Re-  
9 search and Quality, shall award grants and contracts to  
10 fund research on effective interventions in the health care  
11 setting that prevent domestic violence, dating violence, and  
12 sexual assault across the lifespan and that prevent the  
13 health effects of such violence and improve the safety and  
14 health of individuals who are currently being victimized.

15 “(b) USE OF FUNDS.—Research conducted with  
16 amounts received under a grant or contract under this sec-  
17 tion shall include the following:

18 “(1) With respect to the authority of the Cen-  
19 ters for Disease Control and Prevention—

20 “(A) research on the effects of domestic vi-  
21 olence, dating violence, sexual assault, and  
22 childhood exposure to domestic, dating, or sex-  
23 ual violence, on health behaviors, health condi-  
24 tions, and the health status of individuals, fami-  
25 lies, and populations; and

1           “(B) research and testing of best messages  
2           and strategies to mobilize public action con-  
3           cerning the prevention of domestic, dating, or  
4           sexual violence; and

5           “(2) With respect to the authority of the Agen-  
6           cy for Healthcare Research and Quality—

7           “(A) research on the impact on the health  
8           care system, health care utilization, health care  
9           costs, and health status of domestic and dating  
10          violence and childhood exposure to domestic  
11          and dating violence; and

12          “(B) research on effective interventions  
13          within primary care and emergency health care  
14          settings and with health care settings that in-  
15          clude clinical partnerships within community  
16          domestic violence providers for adults and chil-  
17          dren exposed to domestic or dating violence.

18          “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
19          is authorized to be appropriated to carry out this section,  
20          \$5,000,000 for each of fiscal years 2006 through 2010.”.

1 **TITLE VI—HOUSING OPPORTU-**  
2 **NITIES AND SAFETY FOR BAT-**  
3 **TERED WOMEN AND CHIL-**  
4 **DREN**

5 **SEC. 601. ADDRESSING THE HOUSING NEEDS OF VICTIMS**  
6 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**  
7 **SEXUAL ASSAULT, AND STALKING.**

8 The Violence Against Women Act of 1994 (42 U.S.C.  
9 13701 et seq.) is amended by adding at the end the fol-  
10 lowing:

11 **“Subtitle O—Addressing the Hous-**  
12 **ing Needs of Victims of Domes-**  
13 **tic Violence, Dating Violence,**  
14 **Sexual Assault, and Stalking**

15 **“SEC. 41501. PURPOSE.**

16 “The purpose of this subtitle is to reduce domestic  
17 violence, dating violence, sexual assault, and stalking, and  
18 to prevent homelessness by—

19 “(1) protecting the safety of victims of domestic  
20 violence, dating violence, sexual assault, and stalking  
21 who reside in homeless shelters, public housing, as-  
22 sisted housing, Indian housing, or other emergency,  
23 transitional, permanent, or affordable housing, and  
24 ensuring that such victims have meaningful access to

1 the criminal justice system without jeopardizing such  
2 housing;

3 “(2) creating long-term housing solutions that  
4 develop communities and provide sustainable living  
5 solutions for victims of domestic violence, dating vio-  
6 lence, sexual assault, and stalking;

7 “(3) building collaborations between and victim  
8 service providers, homeless service providers, housing  
9 providers, and housing agencies to provide appro-  
10 priate services, interventions, and training to ad-  
11 dress the housing needs of victims of domestic vio-  
12 lence, dating violence, sexual assault and stalking;  
13 and

14 “(4) enabling public and assisted housing agen-  
15 cies, Indian housing authorities, private landlords,  
16 property management companies, and other housing  
17 providers and agencies to respond appropriately to  
18 domestic violence, dating violence, sexual assault,  
19 and stalking, while maintaining a safe environment  
20 for all housing residents.

21 **“SEC. 41502. DEFINITIONS.**

22 “For purposes of this subtitle—

23 “(1) the term ‘assisted housing’ means housing  
24 assisted—

1           “(A) under section 221(d)(3), section  
2           221(d)(4), or section 236 of the National Hous-  
3           ing Act (12 U.S.C. 1715l(d)(3), (d)(4), or  
4           1715z-1);

5           “(B) under section 101 of the Housing  
6           and Urban Development Act of 1965 (12  
7           U.S.C. 1701s); or

8           “(C) under section 8 of the United States  
9           Housing Act of 1937 (42 U.S.C. 1437f);

10          “(2) the term ‘continuum of care’ means a com-  
11          munity plan developed to organize and deliver hous-  
12          ing and services to meet the specific needs of people  
13          who are homeless as they move to stable housing  
14          and achieve maximum self-sufficiency;

15          “(3) the term ‘Indian housing’ means housing  
16          assistance described in the Native American Hous-  
17          ing Assistance and Self-Determination Act of 1996  
18          (25 U.S.C. 4101 et seq.);

19          “(4) the term ‘low-income housing assistance  
20          voucher’ means housing assistance described in sec-  
21          tion 8 of the United States Housing Act of 1937 (42  
22          U.S.C. 1437f);

23          “(5) the term ‘public housing’ means housing  
24          described in section 3(b)(1) of the United States  
25          Housing Act of 1937 (42 U.S.C. 1437a(b)(1));

1 “(6) the term ‘public housing agency’ means an  
 2 agency described in section 3(b)(6) of the United  
 3 States Housing Act of 1937 (42 U.S.C.  
 4 1437a(b)(6)); and

5 “(7) the term ‘homeless service provider’ means  
 6 a nonprofit, nongovernmental homeless service pro-  
 7 vider, such as a homeless shelter, a homeless service  
 8 or advocacy program, a tribal organization serving  
 9 homeless individuals, or coalition or other nonprofit,  
 10 nongovernmental organization carrying out a com-  
 11 munity-based homeless or housing program that has  
 12 a documented history of effective work concerning  
 13 homelessness.

14 **“SEC. 41503. COLLABORATIVE GRANTS TO DEVELOP LONG-**  
 15 **TERM HOUSING FOR VICTIMS.**

16 “(a) GRANTS AUTHORIZED.—

17 “(1) IN GENERAL.—The Secretary of Health  
 18 and Human Services, acting through the Adminis-  
 19 tration on Children, Youth and Families (‘ACYF’),  
 20 and in consultation with the Secretary of Housing  
 21 and Urban Development, shall award grants and  
 22 contracts for a period of not less than 3 years to eli-  
 23 gible entities to develop long-term housing options  
 24 for adult and minor victims of domestic violence,

1 dating violence, sexual assault, and stalking who are  
2 currently homeless or at risk for becoming homeless.

3 “(2) AMOUNT.—The Secretary of Health and  
4 Human Services shall award—

5 “(A) grants for projects that do not in-  
6 clude the cost of construction in amounts—

7 “(i) not less than \$50,000 per year;  
8 and

9 “(ii) not more than \$350,000 per  
10 year; and

11 “(B) grants for projects that do include  
12 the cost of construction in amounts—

13 “(i) not less than \$150,000 per year;  
14 and

15 “(ii) not more than \$1,000,000 per  
16 year.

17 “(b) ELIGIBLE ENTITIES.—To be eligible to receive  
18 a grant under this section, an entity shall demonstrate  
19 that it is a coalition or partnership, applying jointly,  
20 that—

21 “(1) shall include a domestic violence service  
22 provider;

23 “(2) shall include—

24 “(A) a homeless service provider;



1           “(B) a nonprofit, nongovernmental com-  
2           munity housing development organization or a  
3           Department of Agriculture rural housing service  
4           program; or

5           “(C) in the absence of a homeless service  
6           provider on tribal lands or nonprofit, non-  
7           governmental community housing development  
8           organization on tribal lands, an Indian housing  
9           authority or Tribal housing consortium;

10          “(3) may include a dating violence, sexual as-  
11          sault, or stalking victim service provider;

12          “(4) may include housing developers, housing  
13          corporations, State housing finance agencies, other  
14          housing agencies, and associations representing  
15          landlords;

16          “(5) may include a public housing agency or In-  
17          dian housing authority;

18          “(6) may include tenant organizations in public  
19          or Indian housing, as well as nonprofit, nongovern-  
20          mental tenant organizations;

21          “(7) may include other nonprofit, nongovern-  
22          mental organizations participating in the Depart-  
23          ment of Housing and Urban Development’s Con-  
24          tinuum of Care process;

1           “(8) may include a State, tribal, territorial, or  
2           local government or government agency; and

3           “(9) may include any other such agencies or  
4           nonprofit, nongovernmental organizations, including  
5           religious and community based organizations, with  
6           the capacity to provide effective help to adult and  
7           minor victims of domestic violence, dating violence,  
8           sexual assault, or stalking.

9           “(c) APPLICATION.—

10           “(1) IN GENERAL.—Each eligible entity seeking  
11           a grant under this section shall submit an applica-  
12           tion to the Secretary of Health and Human Services  
13           at such time, in such manner, and containing such  
14           information as the Secretary of Health and Human  
15           Services may require.

16           “(2) CONTENTS.—Each application shall de-  
17           scribe how long-term housing options and other ac-  
18           tivities, services, and programs for which assistance  
19           under this section is sought will help deconcentrate  
20           poverty and how they will be developed and imple-  
21           mented with the input of current or former homeless  
22           victims of domestic violence, dating violence, sexual  
23           assault, or stalking.

24           “(d) USE OF FUNDS.—Grants and contracts awarded  
25           to eligible entities pursuant to subsection (a) shall be used

1 to design or replicate and implement new activities, serv-  
2 ices, and programs to develop long-term housing options  
3 for adult and minor victims of domestic violence, dating  
4 violence, sexual assault, or stalking, and their dependents,  
5 who are currently homeless or at risk of becoming home-  
6 less. Such activities, services, or programs—

7 “(1) shall participate in the Department of  
8 Housing and Urban Development’s Continuum of  
9 Care process, unless such a process does not exist in  
10 the community to be served;

11 “(2) shall develop sustainable long-term housing  
12 in the community by—

13 “(A) coordinating efforts and resources  
14 among the various groups and organizations  
15 comprised in the entity to access existing pri-  
16 vate and public funding;

17 “(B) placing individuals and families in  
18 long-term housing; and

19 “(C) providing services to help individuals  
20 or families find and maintain long-term hous-  
21 ing, including financial and support assistance;

22 “(3) may provide capital costs for the purchase,  
23 preconstruction, construction, renovation, repair, or  
24 conversion of affordable housing units;

1           “(4) may use funds for the continuing oper-  
2           ation, upkeep, maintenance, and use of housing de-  
3           scribed in paragraph (3); and

4           “(5) may provide to the community information  
5           about housing and housing programs, and the proc-  
6           ess to locate and obtain long-term housing.

7           “(e) UNDERSERVED POPULATIONS AND PRIOR-  
8           ITIES.—In awarding grants under this section, the Sec-  
9           retary of Health and Human Services, acting through the  
10          ACYF, shall—

11           “(1) give priority to culturally specific services;

12           “(2) give priority to applications from entities  
13           that include a sexual assault service provider as de-  
14           scribed in subsection (b)(3);

15           “(3) award a minimum of 15 percent of the  
16           funds appropriated under this section in any fiscal  
17           year to tribal organizations; and

18           “(4) ensure that at least 2 of the grants award-  
19           ed under paragraph (3) must fund projects that in-  
20           clude construction.

21           “(f) REPORTS.—Every 18 months, each entity shall,  
22           in cooperation and coordination with all members of the  
23           entity, submit a report to the Secretary of Health and  
24           Human Services.

25           “(g) DEFINITIONS.—For purposes of this section—

1 “(1) the term ‘long-term housing’ means hous-  
2 ing that is sustainable, affordable, and safe for the  
3 foreseeable future and is—

4 “(A) rented or owned by the individual;

5 “(B) subsidized by a voucher or other pro-  
6 gram which is not time-limited and is available  
7 for as long as the individual meets the eligibility  
8 requirements for the voucher or program; or

9 “(C) provided directly by a program, agen-  
10 cy, or organization and is not time-limited and  
11 is available for as long as the individual meets  
12 the eligibility requirements for the program,  
13 agency, or organization; and

14 “(2) the term ‘affordable housing’ means hous-  
15 ing that complies with the conditions set forth in  
16 section 215 of the Cranston-Gonzalez National Af-  
17 fordable Housing Act (42 U.S.C. 12745).

18 “(h) EVALUATION, MONITORING, ADMINISTRATION,  
19 AND TECHNICAL ASSISTANCE.—For purposes of this sec-  
20 tion—

21 “(1) up to 3 percent of the funds appropriated  
22 under subsection (i) for each fiscal year may be used  
23 by the Secretary of Health and Human Services for  
24 evaluation, monitoring, and administration costs  
25 under this section; and

1           “(2) up to 8 percent of the funds appropriated  
 2           under subsection (i) for each fiscal year may be used  
 3           to provide technical assistance to grantees under this  
 4           section.

5           “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
 6           are authorized to be appropriated \$10,000,000 for each  
 7           of fiscal years 2006 through 2010 to carry out the provi-  
 8           sions of this section.

9           **“SEC. 41504. GRANTS TO COMBAT DOMESTIC VIOLENCE,**  
 10                       **DATING VIOLENCE, SEXUAL ASSUALT, AND**  
 11                       **STALKING IN PUBLIC AND ASSISTED HOUS-**  
 12                       **ING.**

13           “(a) PURPOSE.—It is the purpose of this section to  
 14           assist eligible grantees in responding appropriately to do-  
 15           mestic violence, dating violence, sexual assault, and stalk-  
 16           ing so that the status of being a victim of such a crime  
 17           is not a reason for the denial or loss of housing. Such  
 18           assistance shall be accomplished through—

19                       “(1) development and implementation of appro-  
 20           priate housing policies and practices;

21                       “(2) enhancement of collaboration with victim  
 22           service providers and tenant organizations; and

23                       “(3) reduction of the number of victims of such  
 24           crimes who are evicted or denied housing because of

1 crimes and lease violations committed or directly  
2 caused by the perpetrators of such crimes.

3 “(b) GRANTS AUTHORIZED.—

4 “(1) IN GENERAL.—The Attorney General, act-  
5 ing through the Director of the Violence Against  
6 Women Office of the Department of Justice (‘Direc-  
7 tor’), and in consultation with the Secretary of  
8 Housing and Urban Development (‘Secretary’), and  
9 the Secretary of Health and Human Services, acting  
10 through the Administration for Children, Youth and  
11 Families (‘ACYF’), shall award grants and contracts  
12 for not less than 3 years to eligible grantees to pro-  
13 mote the full and equal access to and use of housing  
14 by adult and minor victims of domestic violence, dat-  
15 ing violence, sexual assault, and stalking.

16 “(2) AMOUNTS.—Not less than 15 percent of  
17 the funds appropriated to carry out this section shall  
18 be available for grants to Indian housing authorities.

19 “(3) AWARD BASIS.—The Attorney General  
20 shall award grants and contracts under this section  
21 on a competitive basis.

22 “(4) LIMITATION.—Appropriated funds may be  
23 used only for the purposes described in subsections  
24 (f) and (i).

25 “(c) ELIGIBLE GRANTEES.—

1 “(1) IN GENERAL.—Eligible grantees are—

2 “(A) public housing agencies;

3 “(B) principally managed public housing  
4 resident management corporations, as deter-  
5 mined by the Secretary;

6 “(C) public housing projects owned by  
7 public housing agencies;

8 “(D) agencies and authorities receiving as-  
9 sistance under the Native American Housing  
10 Assistance and Self-Determination Act of 1996  
11 (25 U.S.C. 4101 et seq.); and

12 “(E) private, for-profit, and nonprofit own-  
13 ers or managers of assisted housing.

14 “(2) SUBMISSION REQUIRED FOR ALL GRANT-  
15 EES.—To receive assistance under this section, an  
16 eligible grantee shall certify that—

17 “(A) its policies and practices do not pro-  
18 hibit or limit a resident’s right to summon po-  
19 lice or other emergency assistance in response  
20 to domestic violence, dating violence, sexual as-  
21 sault, or stalking;

22 “(B) programs and services are developed  
23 that give a preference in admission to adult and  
24 minor victims of such violence, consistent with



1 local housing needs, and applicable law and the  
2 Secretary's instructions;

3 “(C) it does not discriminate against any  
4 person—

5 “(i) because that person is or is per-  
6 ceived to be, or has a family or household  
7 member who is or is perceived to be, a vic-  
8 tim of such violence; or

9 “(ii) because of the actions or threat-  
10 ened actions of the individual who the vic-  
11 tim, as certified in subsection (e), states  
12 has committed or threatened to commit  
13 acts of such violence against the victim, or  
14 against the victim's family or household  
15 member;

16 “(D) plans are developed that establish  
17 meaningful consultation and coordination with  
18 local victim service providers, tenant organiza-  
19 tions, culturally specific service providers, State  
20 domestic violence and sexual assault coalitions,  
21 and, where they exist, tribal domestic violence  
22 and sexual assault coalitions; and

23 “(E) its policies and practices will be in  
24 compliance with those described in this para-  
25 graph within the later of 2 years or a period se-

1           lected by the Attorney General in consultation  
2           with the Secretary and ACYF.

3           “(d) APPLICATION.—Each eligible entity seeking a  
4 grant under this section shall submit an application to the  
5 Attorney General at such a time, in such a manner, and  
6 containing such information as the Attorney General may  
7 require.

8           “(e) CERTIFICATION.—

9           “(1) IN GENERAL.—A public housing agency,  
10 Indian housing authority, or assisted housing pro-  
11 vider receiving funds under this section may request  
12 that an individual claiming relief under this section  
13 certify that the individual is a victim of domestic vio-  
14 lence, dating violence, sexual assault, or stalking.  
15 The individual shall provide a copy of such certifi-  
16 cation to the public housing agency, Indian housing  
17 authority, or assisted housing provider within a rea-  
18 sonable period of time after the agency or authority  
19 requests such certification.

20           “(2) CONTENTS.—An individual may satisfy the  
21 certification requirement of paragraph (1) by—

22           “(A) providing the public housing agency,  
23 Indian housing authority, or assisted housing  
24 provider with documentation, signed by an em-  
25 ployee, agent, or volunteer of a victim service

1 provider, an attorney, a member of the clergy,  
2 a medical professional, or any other professional  
3 from whom the victim has sought assistance in  
4 addressing domestic violence, dating violence,  
5 sexual assault, or stalking or the effects of  
6 abuse; or

7 “(B) producing a Federal, State, tribal,  
8 territorial, or local police or court record.

9 “(3) LIMITATION.—Nothing in this subsection  
10 shall be construed to require any housing agency, as-  
11 sisted housing provider, Indian housing authority,  
12 owner, or manager to demand that an individual  
13 produce official documentation or physical proof of  
14 the individual’s status as a victim of domestic vio-  
15 lence, dating violence, sexual assault, or stalking, in  
16 order to receive any of the benefits provided in this  
17 section. A housing authority may provide benefits to  
18 an individual based solely on the individual’s state-  
19 ment or other corroborating evidence.

20 “(4) CONFIDENTIALITY.—

21 “(A) IN GENERAL.—All information pro-  
22 vided to any housing agency, assisted housing  
23 provider, Indian housing authority, owner, or  
24 manager pursuant to paragraph (1), including  
25 the fact that an individual is a victim of domes-

1           tic violence, dating violence, sexual assault, or  
2           stalking, shall be retained in the strictest con-  
3           fidence by such housing authority, and shall  
4           neither be entered into any shared database,  
5           nor provided to any related housing agency, as-  
6           sisted housing provider, Indian housing author-  
7           ity, owner, or manager, except to the extent  
8           that disclosure is—

9                   “(i) requested or consented to by the  
10                  individual in writing; or

11                  “(ii) otherwise required by applicable  
12                  law.

13           “(B) NOTIFICATION.—An individual shall  
14           be notified of the limits of such confidentiality  
15           and informed in advance about circumstances  
16           in which the housing agency, assisted housing  
17           provider, Indian housing authority, owner, or  
18           manager will be compelled to disclose the indi-  
19           vidual’s information.

20           “(f) USE OF FUNDS.—Grants and contracts awarded  
21           pursuant to subsection (a) shall provide to eligible entities  
22           personnel, training, and technical assistance to develop  
23           and implement policies, practices, and procedures, making  
24           physical improvements or changes, and developing or en-  
25           hancing collaborations for the purposes of—

1           “(1) enabling victims of domestic violence, dat-  
2           ing violence, sexual assault, and stalking with other-  
3           wise disqualifying rental, credit, or criminal histories  
4           to be eligible to obtain housing or housing assist-  
5           ance, if such victims would otherwise qualify for  
6           housing or housing assistance and can provide docu-  
7           mented evidence information that demonstrates the  
8           causal connection between such violence or abuse  
9           and the victims’ negative histories;

10           “(2) permitting applicants for housing or hous-  
11           ing assistance to provide incomplete rental and em-  
12           ployment histories, otherwise required as a condition  
13           of admission or assistance, if the victim believes that  
14           providing such rental and employment history would  
15           endanger the victim’s or the victim’s children safety;

16           “(3) protecting victims’ confidentiality, includ-  
17           ing protection of victims’ personally identifying in-  
18           formation, address, or rental history;

19           “(4) assisting victims who need to leave a pub-  
20           lic housing, Indian housing, or assisted housing unit  
21           quickly to protect their safety, including those who  
22           are seeking transfer to a new public housing unit,  
23           Indian housing or assisted housing unit, whether in  
24           the same or a different neighborhood or jurisdiction;

1           “(5) enabling the public housing agency, Indian  
2           housing authority, or assisted housing provider, or  
3           the victim to remove consistent with applicable State  
4           law the perpetrator of domestic violence, dating vio-  
5           lence, sexual assault, or stalking without evicting, re-  
6           moving, or otherwise penalizing the victim;

7           “(6) enabling the public housing agency, Indian  
8           housing authority, or assisted housing provider to  
9           comply with court orders, including civil protection  
10          orders issued to protect the victim, when notified  
11          and issued to address the distribution or possession  
12          of property among the household members in cases  
13          where a family breaks up;

14          “(7) developing and implementing more effec-  
15          tive security policies, protocols, and services;

16          “(8) allotting not more than 15 percent of  
17          funds awarded under the grant to make physical im-  
18          provements or changes;

19          “(9) training all personnel to more effectively  
20          identify and respond to victims of domestic violence,  
21          dating violence, sexual assault, and stalking; and

22          “(10) effectively providing notice to applicants  
23          and residents of the above housing policies, prac-  
24          tices, and procedures.

1       “(g) REPORTS.—Each eligible entity receiving funds  
 2 under this section shall submit a report to the Attorney  
 3 General evaluating the effectiveness of the activities, serv-  
 4 ices, and programs developed with the funds provided  
 5 under this section and containing such additional informa-  
 6 tion as the Attorney General may prescribe.

7       “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
 8 are authorized to be appropriated \$10,000,000 for each  
 9 of fiscal years 2006 through 2010 to carry out the provi-  
 10 sions of this section.

11       “(i) TECHNICAL ASSISTANCE.—Up to 12 percent of  
 12 the amount appropriated under subsection (h) for each fis-  
 13 cal year shall be used by the Attorney General for tech-  
 14 nical assistance costs under this section. Technical assist-  
 15 ance may be provided to entities that have not received  
 16 a grant under this section but are described as eligible  
 17 in subsection (c).”.

18 **SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS**  
 19 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**  
 20 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**  
 21 **ING.**

22       (a) IN GENERAL.—Section 40299 of the Violence  
 23 Against Women Act of 1994 (42 U.S.C. 13975) is amend-  
 24 ed—

25               (1) in subsection (a)—

1 (A) by inserting “the Department of Hous-  
2 ing and Urban Development, and the Depart-  
3 ment of Health and Human Services,” after  
4 “Department of Justice,”;

5 (B) by striking “Indian tribes” and insert-  
6 ing “tribal organizations”;

7 (C) by inserting “, including domestic vio-  
8 lence victim service providers, domestic violence  
9 coalitions, other nonprofit, nongovernmental or-  
10 ganizations, or community-based and culturally  
11 specific organizations, that have a documented  
12 history of effective work concerning domestic vi-  
13 olence, dating violence, sexual assault, or stalk-  
14 ing” after “other organizations”; and

15 (D) in paragraph (1), by inserting “, dat-  
16 ing violence, sexual assault, or stalking” after  
17 “domestic violence”;

18 (2) in subsection (b)—

19 (A) by redesignating paragraphs (1) and  
20 (2) as paragraphs (2) and (3), respectively;

21 (B) in paragraph (3), as redesignated, by  
22 inserting “, dating violence, sexual assault, or  
23 stalking” after “violence”;

24 (C) by inserting before paragraph (2), as  
25 redesignated, the following:



1           “(1) transitional housing, or acquire land or  
2           buildings, or rehabilitate or construct buildings for  
3           the purpose of providing transitional housing to per-  
4           sons described in subsection (a), including funding  
5           for—

6                   “(A) the predevelopment cost and capital  
7                   expenses involved in the development of transi-  
8                   tional housing; and

9                   “(B) the operating expenses of newly de-  
10                  veloped or existing transitional housing.”;

11                  (D) in paragraph (3)(B) as redesignated,  
12                  by inserting “Participation in the support serv-  
13                  ices shall be voluntary. Receipt of the benefits  
14                  of the housing assistance described in para-  
15                  graph (2) shall not be conditioned upon the  
16                  participation of the minors, adults, or their de-  
17                  pendents in any or all of the support services  
18                  offered them.” after “assistance.”; and

19                  (E) by adding at the end the following new  
20                  paragraph:

21                  “(4) AMOUNTS TO SUPPLEMENT OTHER FED-  
22                  ERAL FUNDS.—Amounts made available under this  
23                  section shall be used to supplement and not supplant  
24                  other Federal and non-Federal funds expended to  
25                  further the purpose of this section.”;

1 (3) in paragraph (1) of subsection (c), by strik-  
2 ing “18 months” and inserting “24 months”;

3 (4) in subsection (d)(2)—

4 (A) by striking “and” at the end of sub-  
5 paragraph (A);

6 (B) by redesignating subparagraph (B) as  
7 subparagraph (D); and

8 (C) by inserting after subparagraph (A)  
9 the following new subparagraphs:

10 “(B) describe how the input of current or  
11 former homeless victims of domestic violence,  
12 dating violence, sexual assault, or stalking will  
13 be used to develop and implement the pro-  
14 grams, services, and other activities described  
15 in subsection (b);

16 “(C) provide assurances that any sup-  
17 portive services offered to participants in pro-  
18 grams developed under subsection (b)(3) are  
19 voluntary and that refusal to receive such serv-  
20 ices shall not be grounds for termination from  
21 the program or eviction from the victim’s hous-  
22 ing; and”;

23 (5) in subsection (e)(2)—

24 (A) in subparagraph (A), by inserting  
25 “purpose and” before “amount”;

1 (B) in clause (ii) of subparagraph (C), by  
2 striking “and”;

3 (C) in subparagraph (D), by striking the  
4 period and inserting “; and”; and

5 (D) by adding at the end the following new  
6 subparagraph:

7 “(E) the client population served and the  
8 number of individuals requesting services that  
9 the transitional housing program is unable to  
10 serve as a result of a lack of resources.”; and  
11 (6) in subsection (g)—

12 (A) in paragraph (1), by striking  
13 “\$30,000,000” and inserting “\$40,000,000”;

14 (B) in paragraph (1), by striking “2004”  
15 and inserting “2006”;

16 (C) in paragraph (1), by striking “2008.”  
17 and inserting “2010. Funds authorized to be  
18 appropriated under this subsection shall remain  
19 available until expended.”;

20 (D) in paragraph (2), by striking “not  
21 more than 3 percent” and inserting “up to 5  
22 percent”;

23 (E) in paragraph (2), by inserting “evalua-  
24 tion, monitoring, technical assistance,” before  
25 “salaries”; and

1 (F) in paragraph (3), by adding at the end  
2 the following new subparagraphs:

3 “(C) UNDERSERVED POPULATIONS.—

4 “(i) A minimum of 10 percent of the  
5 total amount appropriated in any fiscal  
6 year shall be allocated to tribal organiza-  
7 tions serving adult and minor victims of  
8 domestic violence, dating violence, sexual  
9 assault, or stalking and their dependents.

10 “(ii) Priority shall be given to projects  
11 developed under subsection (b) that pri-  
12 marily serve racial and ethnic and other  
13 underserved populations.”.

14 **SEC. 603. PUBLIC AND INDIAN HOUSING AUTHORITY PLANS**  
15 **REPORTING REQUIREMENT.**

16 Section 5A of the United States Housing Act of 1937  
17 (42 U.S.C. 1437c–1) is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (1), by striking “para-  
20 graph (2)” and inserting “paragraph (3)”;

21 (B) by redesignating paragraph (2) as  
22 paragraph (3); and

23 (C) by inserting after paragraph (1) the  
24 following:

1           “(2) STATEMENT OF GOALS.—The 5-year plan  
2       shall include a statement by any public housing  
3       agency or Indian housing authority of the goals, ob-  
4       jectives, policies, or programs that will enable the  
5       housing authority to serve the needs of minor and  
6       adult victims of domestic violence, dating violence,  
7       sexual assault, or stalking.”;

8           (2) in subsection (d), by redesignating para-  
9       graphs (13), (14), (15), (16), (17), and (18), as  
10      paragraphs (14), (15), (16), (17), (18), and (19), re-  
11      spectively; and

12          (3) by inserting after paragraph (12) the fol-  
13      lowing:

14          “(13) DOMESTIC VIOLENCE, DATING VIOLENCE,  
15      SEXUAL ASSAULT, OR STALKING PROGRAMS.—A de-  
16      scription of—

17              “(A) any activities, services, or programs  
18              provided or offered by an agency, either directly  
19              or in partnership with other service providers,  
20              to minor or adult victims of domestic violence,  
21              dating violence, sexual assault, or stalking;

22              “(B) any activities, services, or programs  
23              provided or offered by a public housing agency  
24              or Indian housing authority that helps minor  
25              and adult victims of domestic violence, dating

1 violence, sexual assault, or stalking, to obtain or  
 2 maintain housing; and

3 “(C) any activities, services, or programs  
 4 provided or offered by a public housing agency  
 5 or Indian housing authority to prevent domestic  
 6 violence, dating violence, sexual assault, and  
 7 stalking, or to enhance victim safety in assisted  
 8 families.”.

9 **SEC. 604. HOUSING STRATEGIES.**

10 Section 105(b)(1) of the Cranston-Gonzalez National  
 11 Affordable Housing Act (42 U.S.C. 12705(b)(1)) is  
 12 amended by inserting after “immunodeficiency syn-  
 13 drome,” the following: “victims of domestic violence, dat-  
 14 ing violence, sexual assault, and stalking”.

15 **SEC. 605. AMENDMENT TO THE MCKINNEY-VENTO HOME-**  
 16 **LESS ASSISTANCE ACT.**

17 Section 423 of the Stewart B. McKinney Homeless  
 18 Assistance Act (42 U.S.C. 11383) is amended—

19 (1) by adding at the end of subsection (a) the  
 20 following:

21 “(8) CONFIDENTIALITY.—

22 “(A) IN GENERAL.—In the course of  
 23 awarding grants or implementing programs  
 24 under this subsection, the Secretary shall in-  
 25 struct any recipient or subgrantee shall make

1 reasonable efforts not to disclose to any person,  
2 agency, or entity any personally identifying in-  
3 formation about any client where the Secretary,  
4 recipient, or subgrantee believes based upon  
5 reasonable evidence that the client is either a  
6 minor or an adult victim of domestic violence,  
7 dating violence, sexual assault, or stalking, or is  
8 the parent or guardian of a minor victim of do-  
9 mestic violence, dating violence, sexual assault,  
10 or stalking. The Secretary shall not require or  
11 ask a recipient or subgrantee of any other Fed-  
12 eral or State program to disclose personally  
13 identifying information about any clients where  
14 the persons, agencies, or entities implementing  
15 those programs believe based upon reasonable  
16 evidence that those clients either are minor or  
17 adult victims of domestic violence, dating vio-  
18 lence, sexual assault, or stalking or are the par-  
19 ents or guardians of minor victims of domestic  
20 violence, dating violence, sexual assault, or  
21 stalking. The Secretary shall instruct any re-  
22 cipient or subgrantee under this subsection or  
23 any recipient or subgrantee of any other Fed-  
24 eral or State program participating in the  
25 Homeless Management Information System

1 that personally identifying information about  
2 any client may only be disclosed if the program  
3 seeking to disclose such information has ob-  
4 tained informed, reasonably time-limited, writ-  
5 ten consent from the client to whom the infor-  
6 mation relates. The Secretary may require or  
7 ask any recipient or subgrantee to share non-  
8 personally identifying data in the aggregate re-  
9 garding services to clients and nonpersonally  
10 identifying demographic information in order to  
11 comply with the data collection requirements of  
12 the Homeless Management Information System.

13 “(B) DEFINITION.—As used in this para-  
14 graph, the term ‘personally identifying informa-  
15 tion’ means individually identifying information  
16 from or about an individual including—

17 “(i) first and last name;

18 “(ii) a home or other physical address,  
19 including street name and name of city or  
20 town;

21 “(iii) an email address or other online  
22 contact information, such as an instant  
23 messaging user identifier or a screen name  
24 that reveals an individual’s email address;

25 “(iv) a telephone number;



1 “(v) a social security number;

2 “(vi) an Internet Protocol (‘IP’) ad-  
3 dress or host name that identifies an indi-  
4 vidual;

5 “(vii) a persistent identifier, such as a  
6 customer number held in a ‘cookie’ or  
7 processor serial number, that is combined  
8 with other available data that identifies an  
9 individual; and

10 “(viii) any other information, includ-  
11 ing, but not limited to, grade point aver-  
12 age, date of birth, academic or occupa-  
13 tional interests, athletic or extracurricular  
14 interests, racial or ethnic background, or  
15 religious affiliation, that, in combination  
16 with any of the above, would serve to iden-  
17 tify any individual.”.

18 **SEC. 606. AMENDMENTS TO THE LOW INCOME HOUSING AS-**  
19 **SISTANCE VOUCHER PROGRAM.**

20 Section 8 of the United States Housing Act of 1937  
21 (42 U.S.C. 1437f) is amended—

22 (1) in subsection (d)—

23 (A) in paragraph (1)(B)(ii), by inserting  
24 after “other good cause” the following: “, and  
25 that an incident or incidents of actual or

1 threatened domestic violence, dating violence,  
2 sexual assault, or stalking will not be construed  
3 as a serious or repeated violation of the lease by  
4 the victim or threatened victim of that violence  
5 and will not be good cause for terminating a  
6 lease held by the victim of such violence”; and

7 (B) in paragraph (1)(B)(iii), by inserting  
8 after “termination of tenancy” the following: “,  
9 except that (I) criminal activity directly relating  
10 to domestic violence, dating violence, sexual as-  
11 sault, or stalking, engaged in by a member of  
12 a tenant’s household or any guest or other per-  
13 son under the tenant’s control shall not be  
14 cause for termination of the tenancy, if the ten-  
15 ant or a minor child of the tenant is a victim  
16 of domestic violence, dating violence, sexual as-  
17 sault, or stalking and, as a result, could not  
18 control or prevent the criminal activity; (II)  
19 nothing in subclause (I) may be construed to  
20 limit the authority of an owner or manager,  
21 consistent with applicable State law, to evict or  
22 the public housing agency or assisted housing  
23 provider to terminate voucher assistance to in-  
24 dividuals who engage in criminal acts of phys-  
25 ical violence against family members or others;

1           and (III) nothing in subclause (I) may be con-  
2           strued to limit the authority of an owner or  
3           manager, consistent with applicable State law,  
4           to evict or the public housing agency or assisted  
5           housing provider to terminate voucher assist-  
6           ance to any tenant if the owner, manager, pub-  
7           lic housing agency, or assisted housing provider  
8           can demonstrate an actual and imminent  
9           threat to the larger community if that tenant is  
10          not evicted or terminated from assistance”;

11          (2) in subsection (f)—

12                 (A) in paragraph (6) by striking “and”;

13                 (B) in paragraph (7) by striking the period  
14                 at the end and inserting a semicolon;

15                 (C) by adding at the end the following new  
16                 paragraphs:

17                 “(8) the term ‘domestic violence’ has the same  
18                 meaning given the term in section 2003 of title I of  
19                 the Omnibus Crime Control and Safe Streets Act of  
20                 1968 (42 U.S.C. 3796gg-2);

21                 “(9) the term ‘dating violence’ has the same  
22                 meaning given the term in section 2003 of title I of  
23                 the Omnibus Crime Control and Safe Streets Act of  
24                 1968 (42 U.S.C. 3796gg-2); and

1           “(10) the term ‘sexual assault’ has the same  
2           meaning given the term in section 2003 of title I of  
3           the Omnibus Crime Control and Safe Streets Act of  
4           1968 (42 U.S.C. 3796gg-2).”;

5           (3) in subsection (o)—

6                   (A) by inserting at the end of paragraph  
7                   (6)(B), the following new sentence: “That an  
8                   applicant is or is perceived to be, or has been  
9                   or has been perceived to be, a victim of domes-  
10                  tic violence, dating violence, or stalking is not  
11                  an appropriate basis for denial of program as-  
12                  sistance by a public housing authority.”;

13                  (B) in paragraph (7)(C), by inserting after  
14                  “other good cause” the following: “, and that  
15                  an incident or incidents of actual or threatened  
16                  domestic violence, dating violence, sexual as-  
17                  sault, or stalking will not be construed as a se-  
18                  rious or repeated violation of the lease by the  
19                  victim or threatened victim of that violence and  
20                  will not be good cause for terminating a lease  
21                  held by the victim of such violence”; and

22                  (C) in paragraph (7)(D), by inserting after  
23                  “termination of tenancy” the following: “; ex-  
24                  cept that (i) criminal activity relating to domes-  
25                  tic violence, dating violence, sexual assault, or

1 stalking, engaged in by a member of a tenant's  
2 household or any guest or other person under  
3 the tenant's control shall not be cause for ter-  
4 mination of the tenancy, if the tenant or imme-  
5 diate member of the tenant's family is a victim  
6 of domestic violence, dating violence, sexual as-  
7 sault, or stalking and, as a result, could not  
8 control or prevent the criminal activity; (ii)  
9 nothing in clause (i) may be construed to limit  
10 the authority of an owner or manager, con-  
11 sistent with applicable State law, to evict or the  
12 public housing agency or assisted housing pro-  
13 vider to terminate voucher assistance to individ-  
14 uals who engage in criminal acts of physical vi-  
15 olence against family members or others; and  
16 (iii) nothing in clause (i) may be construed to  
17 limit the authority of an owner or manager,  
18 consistent with applicable State law, to evict or  
19 the public housing agency or assisted housing  
20 provider to terminate voucher assistance to any  
21 tenant if the owner, manager, public housing  
22 agency, or assisted housing provider can dem-  
23 onstrate an accutal and imminent threat to the  
24 larger community if that tenant is not evicted  
25 or terminated from assistance”;

1           (4) in subsection (r)(5) by inserting after “vio-  
 2           lation of a lease” the following: “, except that a fam-  
 3           ily may receive a voucher from a public housing  
 4           agency and move to another jurisdiction under the  
 5           tenant-based assistance program if the family has  
 6           moved out of the assisted dwelling unit in order to  
 7           protect the health or safety of an individual who is  
 8           or has been the victim of domestic violence, dating  
 9           violence, sexual assault, or stalking and who reason-  
 10          ably believed he or she was imminently threatened  
 11          by harm from further violence if he or she remained  
 12          in the assisted dwelling unit”; and

13           (5) by adding at the end the following new sub-  
 14          section:

15          “(ee) CERTIFICATION AND CONFIDENTIALITY.—

16           “(1) CERTIFICATION.—

17           “(A) IN GENERAL.—An owner, manager,  
 18           public housing agency, or assisted housing pro-  
 19           vider responding to subsections (d)(1)(B)(ii),  
 20           (d)(1)(B)(iii), (o)(7)(C), (o)(7)(D), and (r)(5)  
 21           may request that an individual certify that the  
 22           individual is a victim of domestic violence, dat-  
 23           ing violence, sexual assault, or stalking, and  
 24           that the incident or incidents in question are  
 25           bona fide incidents of such actual or threatened

1 abuse and meet the requirements set forth in  
2 the aforementioned paragraphs. The individual  
3 shall provide a copy of such certification within  
4 a reasonable period of time after an owner,  
5 manager, public housing agency, or assisted  
6 housing provider requests such certification.

7 “(B) CONTENTS.—An individual may sat-  
8 isfy the certification requirement of subpara-  
9 graph (A) by—

10 “(i) providing the requesting owner,  
11 manager, public housing agency, or as-  
12 sisted housing provider with documentation  
13 signed by an employee, agent, or volunteer  
14 of a victim service provider, an attorney, a  
15 member of the clergy, a medical profes-  
16 sional, or any other professional, from  
17 whom the victim has sought assistance in  
18 addressing domestic violence, dating vio-  
19 lence, sexual assault, or stalking or the ef-  
20 fects of the abuse; or

21 “(ii) producing a Federal, State, trib-  
22 al, territorial, or local police or court  
23 record.

24 “(C) LIMITATION.—At their discretion, the  
25 owner, manager, public housing agency, or as-

1       sisted housing provider may provide benefits to  
2       an individual based solely on the individual's  
3       statement or other corroborating evidence but is  
4       not mandated to do so.

5       “(2) CONFIDENTIALITY.—

6               “(A) IN GENERAL.—All information pro-  
7       vided to an owner, manager, public housing  
8       agency, or assisted housing provider pursuant  
9       to paragraph (1), including the fact that an in-  
10      dividual is a victim of domestic violence, dating  
11      violence, sexual assault, or stalking, shall be re-  
12      tained in the strictest confidence by such owner,  
13      manager, public housing agency, or assisted  
14      housing provider, and shall neither be entered  
15      into any shared database, nor provided to any  
16      related entity, except to the extent that disclo-  
17      sure is—

18                   “(i) requested or consented to by the  
19                   individual in writing; or

20                   “(ii) otherwise required by applicable  
21                   law.

22       “(B) NOTIFICATION.—An individual must  
23       be notified of the limits of such confidentiality  
24       and informed in advance about circumstances



1 in which the person or entity will be compelled  
2 to disclose the individual's information.”.

3 **SEC. 607. AMENDMENTS TO THE PUBLIC HOUSING PRO-**  
4 **GRAM.**

5 Section 6 of the United States Housing Act of 1937  
6 (42 U.S.C. 1437d) is amended—

7 (1) in subsection (c), by redesignating para-  
8 graph (3) and (4), as paragraphs (4) and (5), re-  
9 spectively;

10 (2) by inserting after paragraph (2) the fol-  
11 lowing:

12 “(3) the public housing agency shall not deny  
13 admission to the project to any applicant on the  
14 basis that the applicant is or is perceived to be, or  
15 has been or has been perceived to be, a victim of do-  
16 mestic violence, dating violence, or stalking”;

17 (3) in subsection (l)(5), by inserting after  
18 “other good cause” the following: “, and that an in-  
19 cident or incidents of actual or threatened domestic  
20 violence, dating violence, sexual assault, or stalking  
21 will not be construed as a serious or repeated viola-  
22 tion of the lease by the victim or threatened victim  
23 of that violence and will not be good cause for termi-  
24 nating a lease held by the victim of such violence”;

1           (4) in subsection (l)(6), by inserting after “ter-  
2       mination of tenancy” the following: “; except that  
3       (A) criminal activity directly relating to domestic vi-  
4       olence, dating violence, sexual assault, or stalking,  
5       engaged in by a member of a tenant’s household or  
6       any guest or other person under the tenant’s control  
7       shall not be cause for termination of the tenancy, if  
8       the tenant or immediate member of the tenant’s  
9       family is a victim of domestic violence, dating vio-  
10      lence, sexual assault, or stalking and, as a result  
11      could not control or prevent the criminal activity;  
12      (B) nothing in subparagraph (A) may be construed  
13      to limit the authority of a public housing agency,  
14      consistent with applicable State laws, to evict or the  
15      public housing agency or assisted housing provider  
16      to terminate voucher assistance to individuals who  
17      engage in criminal acts of physical violence against  
18      family members or others; “; and (C) nothing in  
19      subparagraph (A) may be construed to limit the au-  
20      thority of a public housing agency, consistent with  
21      applicable State law, to terminate the tenancy of any  
22      tenant if the public housing agency can demonstrate  
23      an actual and imminent threat to the larger commu-  
24      nity if that tenant’s tenancy is not terminated”; and

1 (5) by inserting at the end of subsection (t) the  
2 following new subsection:

3 “(u) CERTIFICATION AND CONFIDENTIALITY.—

4 “(1) CERTIFICATION.—

5 “(A) IN GENERAL.—A public housing  
6 agency responding to subsection (l) (5) and (6)  
7 may request that an individual certify that the  
8 individual is a victim of domestic violence, dat-  
9 ing violence, sexual assault, or stalking, and  
10 that the incident or incidents in question are  
11 bona fide incidents of such actual or threatened  
12 abuse and meet the requirements set forth in  
13 the aforementioned paragraphs. The individual  
14 shall provide a copy of such certification within  
15 a reasonable period of time after the public  
16 housing agency requests such certification.

17 “(B) CONTENTS.—An individual may sat-  
18 isfy the certification requirement of subpara-  
19 graph (A) by—

20 “(i) providing the requesting public  
21 housing agency with documentation signed  
22 by an employee, agent, or volunteer of a  
23 victim service provider, an attorney, a  
24 member of the clergy, a medical profes-  
25 sional, or any other professional, from

1           whom the victim has sought assistance in  
2           addressing domestic violence, dating vio-  
3           lence, sexual assault, or stalking or the ef-  
4           fects of the abuse; or

5                   “(ii) producing a Federal, State, trib-  
6           al, territorial, or local police or court  
7           record.

8           “(C) LIMITATION.—At the public housing  
9           agency’s discretion, a public housing agency  
10          may provide benefits to an individual based  
11          solely on the individual’s statement or other  
12          corroborating evidence but is not mandated to  
13          do so.

14          “(2) CONFIDENTIALITY.—

15               “(A) IN GENERAL.—All information pro-  
16          vided to any public housing agency pursuant to  
17          paragraph (1), including the fact that an indi-  
18          vidual is a victim of domestic violence, dating  
19          violence, sexual assault, or stalking, shall be re-  
20          tained in the strictest confidence by such public  
21          housing agency, and shall neither be entered  
22          into any shared database, nor provided to any  
23          related entity, except to the extent that disclo-  
24          sure is—

1 “(i) requested or consented to by the  
2 individual in writing; or

3 “(ii) otherwise required by applicable  
4 law.

5 “(B) NOTIFICATION.—An individual must  
6 be notified of the limits of such confidentiality  
7 and informed in advance about circumstances  
8 in which the person or entity will be compelled  
9 to disclose the individual’s information.

10 “(3) DEFINITIONS.—For purposes of this sub-  
11 section and subsection (1) (5) and (6)—

12 “(A) the term ‘domestic violence’ has the  
13 same meaning given the term in section 2003  
14 of title I of the Omnibus Crime Control and  
15 Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
16 2);

17 “(B) the term ‘dating violence’ has the  
18 same meaning given the term in section 2003  
19 of title I of the Omnibus Crime Control and  
20 Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
21 2);

22 “(C) the term ‘stalking’ means engaging in  
23 a course of conduct directed at a specific person  
24 that would cause a reasonable person to—

1 “(i) fear for his or her safety or the  
2 safety of others; or

3 “(ii) suffer significant emotional dis-  
4 tress; and

5 “(D) the term ‘sexual assault’ has the  
6 same meaning given the term in section 2003  
7 of title I of the Omnibus Crime Control and  
8 Safe Streets Act of 1968 (42 U.S.C. 3796gg–  
9 2).”.

10 **TITLE VII—PROVIDING ECO-**  
11 **NOMIC SECURITY FOR VIC-**  
12 **TIMS OF VIOLENCE**

13 **SEC. 701. EMERGENCY LEAVE.**

14 (a) IN GENERAL.—The Violence Against Women Act  
15 of 1994 (Public Law 103–322; 108 Stat. 1902) is amend-  
16 ed by adding after subtitle M the following:

17 **“Subtitle Q—Assistance for Individ-**  
18 **uals Experiencing Domestic or**  
19 **Sexual Violence**

20 **“CHAPTER 1—EMERGENCY LEAVE**

21 **“SEC. 41701. PURPOSES.**

22 “The purposes of this chapter are, pursuant to the  
23 affirmative power of Congress to enact legislation under  
24 the portions of section 8 of article I of the Constitution  
25 relating to providing for the general welfare and to regula-

1 tion of commerce among the several States, and under sec-  
2 tion 5 of the 14th amendment to the Constitution—

3 “(1) to promote the national interest in reduc-  
4 ing domestic or sexual violence by enabling victims  
5 of domestic or sexual violence to maintain the finan-  
6 cial independence necessary to leave abusive situa-  
7 tions, achieve safety, and minimize the physical and  
8 emotional injuries from domestic or sexual violence,  
9 and to reduce the devastating economic con-  
10 sequences of domestic or sexual violence to employ-  
11 ers and employees;

12 “(2) to promote the national interest in ensur-  
13 ing that victims of domestic or sexual violence can  
14 recover from and cope with the effects of such vio-  
15 lence, and participate in criminal and civil justice  
16 processes, without fear of adverse economic con-  
17 sequences; and

18 “(3) to reduce the negative impact on interstate  
19 commerce produced by dislocations of employees and  
20 harmful effects on productivity, employment, health  
21 care costs, and employer costs, caused by domestic  
22 or sexual violence, including related intentional ef-  
23 forts to frustrate women’s ability to participate in  
24 employment and interstate commerce.

1 **“SEC. 41702. ENTITLEMENT TO EMERGENCY LEAVE FOR AD-**  
2 **DRESSING DOMESTIC OR SEXUAL VIOLENCE.**

3 “(a) LEAVE REQUIREMENT.—

4 “(1) BASIS.—An employee who is a victim of  
5 domestic or sexual violence may use accrued or exist-  
6 ing leave from work to address domestic or sexual  
7 violence, by—

8 “(A) seeking medical attention for, or re-  
9 covering from, physical or psychological injuries  
10 caused by domestic or sexual violence to the  
11 employee or the employee’s family or household  
12 member;

13 “(B) obtaining services from a victim serv-  
14 ice provider for the employee or the employee’s  
15 family or household member;

16 “(C) obtaining psychological or other coun-  
17 seling for the employee or the employee’s family  
18 or household member;

19 “(D) participating in safety planning, tem-  
20 porarily or permanently relocating, or taking  
21 other actions to increase the safety of the em-  
22 ployee or the employee’s family or household  
23 member from future domestic or sexual violence  
24 or ensure economic security; or

25 “(E) seeking legal or law enforcement as-  
26 sistance or remedies to ensure the health and



1 safety of the employee or the employee’s family  
2 or household member, including preparing for  
3 or participating in any civil or criminal legal  
4 proceeding related to or derived from domestic  
5 or sexual violence.

6 “(2) PERIOD.—An employee may take not more  
7 than 15 days of leave, as described in paragraph (1),  
8 in any 12-month period.

9 “(3) SCHEDULE.—Leave described in para-  
10 graph (1) may be taken intermittently or on a re-  
11 duced leave schedule.

12 “(b) NOTICE.—The employee shall provide the em-  
13 ployer with reasonable notice of the employee’s intention  
14 to take the leave, unless providing such notice is not prac-  
15 ticable because of injury.

16 “(c) CERTIFICATION.—

17 “(1) IN GENERAL.—The employer may require  
18 the employee to provide certification to the employer,  
19 within a reasonable period after the employer re-  
20 quires the certification, that—

21 “(A) the employee or the employee’s family  
22 or household member is a victim of domestic or  
23 sexual violence; and

24 “(B) the leave is for 1 of the purposes de-  
25 scribed in subsection (a)(1).

1           “(2) CONTENTS.—An employee may satisfy the  
2           certification requirement of paragraph (1) by pro-  
3           viding to the employer—

4                   “(A) a sworn statement of the employee;

5                   “(B) documentation from an employee,  
6           agent, or volunteer of a victim service provider,  
7           an attorney, a member of the clergy, or a med-  
8           ical or other professional, from whom the em-  
9           ployee or the employee’s family or household  
10          member has sought assistance in addressing do-  
11          mestic or sexual violence and the effects of the  
12          violence;

13                   “(C) a police or court record; or

14                   “(D) other corroborating evidence.

15          “(d) CONFIDENTIALITY.—All information provided to  
16          the employer pursuant to subsection (b) or (c), and the  
17          fact that the employee has requested or obtained leave  
18          pursuant to this section, shall be retained in the strictest  
19          confidence by the employer, except to the extent that dis-  
20          closure is—

21                   “(1) requested or consented to by the employee  
22          in writing; or

23                   “(2) otherwise required by applicable Federal or  
24          State law.

25          “(e) EMPLOYMENT AND BENEFITS.—

1 “(1) RESTORATION TO POSITION.—

2 “(A) IN GENERAL.—Except as provided in  
3 paragraph (2), any employee who takes leave  
4 under this section for the intended purpose of  
5 the leave shall be entitled, on return from such  
6 leave—

7 “(i) to be restored by the employer to  
8 the position of employment held by the em-  
9 ployee when the leave commenced; or

10 “(ii) to be restored to an equivalent  
11 position with equivalent employment bene-  
12 fits, pay, and other terms and conditions of  
13 employment.

14 “(B) LOSS OF BENEFITS.—The taking of  
15 leave under this section shall not result in the  
16 loss of any employment benefit accrued prior to  
17 the date on which the leave commenced.

18 “(C) LIMITATIONS.—Nothing in this sub-  
19 section shall be construed to entitle any re-  
20 stored employee to—

21 “(i) the accrual of any seniority or  
22 employment benefits during any period of  
23 leave; or

24 “(ii) any right, benefit, or position of  
25 employment other than any right, benefit,

1 or position to which the employee would  
2 have been entitled had the employee not  
3 taken the leave.

4 “(D) CONSTRUCTION.—Nothing in this  
5 paragraph shall be construed to prohibit an em-  
6 ployer from requiring an employee on leave  
7 under this section to report periodically to the  
8 employer on the status and intention of the em-  
9 ployee to return to work.

10 “(2) EXEMPTION CONCERNING CERTAIN HIGH-  
11 LY COMPENSATED EMPLOYEES.—

12 “(A) DENIAL OF RESTORATION.—An em-  
13 ployer may deny restoration under paragraph  
14 (1) to any employee described in subparagraph  
15 (B) if—

16 “(i) such denial is necessary to pre-  
17 vent substantial and grievous economic in-  
18 jury to the operations of the employer;

19 “(ii) the employer notifies the em-  
20 ployee of the intent of the employer to  
21 deny restoration on such basis at the time  
22 the employer determines that such injury  
23 would occur; and

24 “(iii) in any case in which the leave  
25 has commenced, the employee elects not to

1           return to employment after receiving such  
2           notice.

3           “(B) AFFECTED EMPLOYEES.—An em-  
4           ployee referred to in subparagraph (A) is a sal-  
5           aried employee who is among the highest paid  
6           10 percent of the employees employed by the  
7           employer within 75 miles of the facility at  
8           which the employee is employed.

9           “(3) MAINTENANCE OF HEALTH BENEFITS.—

10           “(A) COVERAGE.—Except as provided in  
11           subparagraph (B), during any period that an  
12           employee takes leave under this section, the em-  
13           ployer shall maintain coverage under any group  
14           health plan (as defined in section 5000(b)(1) of  
15           the Internal Revenue Code of 1986) for the du-  
16           ration of such leave at the level and under the  
17           conditions coverage would have been provided if  
18           the employee had continued in employment con-  
19           tinuously for the duration of such leave.

20           “(B) FAILURE TO RETURN FROM  
21           LEAVE.—The employer may recover the pre-  
22           mium that the employer paid for maintaining  
23           coverage for the employee under such group  
24           health plan during any period of leave under  
25           this section if—

1 “(i) the employee fails to return from  
2 leave under this section after the period of  
3 leave to which the employee is entitled for  
4 the domestic or sexual violence involved  
5 has expired; and

6 “(ii) the employee fails to return to  
7 work for a reason other than the continu-  
8 ation or recurrence of domestic or sexual  
9 violence, that entitles the employee to leave  
10 pursuant to this section.

11 “(C) CERTIFICATION.—

12 “(i) ISSUANCE.—An employer may re-  
13 quire an employee who claims that the em-  
14 ployee is unable to return to work because  
15 of a reason described in subparagraph  
16 (B)(ii) to provide, within a reasonable pe-  
17 riod after making the claim, certification to  
18 the employer that the employee is unable  
19 to return to work because of that reason.

20 “(ii) CONTENTS.—An employee may  
21 satisfy the certification requirement of  
22 clause (i) by providing to the employer—

23 “(I) a sworn statement of the  
24 employee;

1 “(II) documentation from an em-  
2 ployee, agent, or volunteer of a victim  
3 service provider, an attorney, a mem-  
4 ber of the clergy, or a medical or  
5 other professional, from whom the  
6 employee or the employee’s family or  
7 household member has sought assist-  
8 ance in addressing domestic or sexual  
9 violence and the effects of the vio-  
10 lence;

11 “(III) a police or court record; or

12 “(IV) other corroborating evi-  
13 dence.

14 “(D) CONFIDENTIALITY.—All information  
15 provided to the employer pursuant to subpara-  
16 graph (C), and the fact that the employee is not  
17 returning to work because of a reason described  
18 in subparagraph (B)(ii), shall be retained in the  
19 strictest confidence by the employer, except to  
20 the extent that disclosure is—

21 “(i) requested or consented to by the  
22 employee in writing; or

23 “(ii) otherwise required by applicable  
24 Federal or State law.

25 “(f) PROHIBITED ACTS.—

1 “(1) INTERFERENCE WITH RIGHTS.—

2 “(A) EXERCISE OF RIGHTS.—It shall be  
3 unlawful for any employer to interfere with, re-  
4 strain, or deny the exercise of or the attempt to  
5 exercise, any right provided under this section.

6 “(B) EMPLOYER DISCRIMINATION.—It  
7 shall be unlawful for any employer to discharge  
8 or harass any individual, or otherwise discrimi-  
9 nate against any individual with respect to com-  
10 pensation, terms, conditions, or privileges of  
11 employment of the individual (including retalia-  
12 tion in any form or manner) because the indi-  
13 vidual—

14 “(i) exercised any right provided  
15 under this section; or

16 “(ii) opposed any practice made un-  
17 lawful by this section.

18 “(2) INTERFERENCE WITH PROCEEDINGS OR  
19 INQUIRIES.—It shall be unlawful for any person to  
20 discharge or in any other manner discriminate (as  
21 described in paragraph (1)(B)) against any indi-  
22 vidual because such individual—

23 “(A) has filed any charge, or has instituted  
24 or caused to be instituted any proceeding,  
25 under or related to this section;



1           “(B) has given, or is about to give, any in-  
 2           formation in connection with any inquiry or  
 3           proceeding relating to any right provided under  
 4           this section; or

5           “(C) has testified, or is about to testify, in  
 6           any inquiry or proceeding relating to any right  
 7           provided under this section.

8           “(g) ENFORCEMENT.—

9           “(1) ACTION BY THE SECRETARY.—

10           “(A) ADMINISTRATIVE ACTION.—The Sec-  
 11           retary shall receive, investigate, and attempt to  
 12           resolve complaints of violations of subsection (f)  
 13           in the same manner as the Secretary receives,  
 14           investigates, and attempts to resolve complaints  
 15           of violations of sections 6 and 7 of the Fair  
 16           Labor Standards Act of 1938 (29 U.S.C. 206  
 17           and 207).

18           “(B) CIVIL ACTION.—The Secretary may  
 19           bring an action in any court of competent juris-  
 20           diction to recover the damages described in  
 21           paragraph (1)(A)(i).

22           “(C) SUMS RECOVERED.—Any sums recov-  
 23           ered by the Secretary pursuant to subparagraph  
 24           (B) shall be held in a special deposit account  
 25           and shall be paid, on order of the Secretary, di-

rectly to each individual affected. Any such sums not paid to such an individual because of inability to do so within a period of 3 years shall be deposited into the Treasury of the United States as miscellaneous receipts.

“(2) LIMITATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an action may be brought under this subsection not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

“(B) WILLFUL VIOLATION.—In the case of such action brought for a willful violation of subsection (f), such action may be brought within 3 years after the date of the last event constituting the alleged violation for which such action is brought.

“(C) COMMENCEMENT.—In determining when an action is commenced by the Secretary under this subsection for the purposes of this paragraph, it shall be considered to be commenced on the date when the complaint is filed.

“(3) ACTION FOR INJUNCTION BY SECRETARY.—The district courts of the United States

1 shall have jurisdiction, for cause shown, in an action  
2 brought by the Secretary—

3 “(A) to restrain violations of subsection  
4 (f), including the restraint of any withholding of  
5 payment of wages, salary, employment benefits,  
6 public assistance, or other compensation, plus  
7 interest, found by the court to be due to af-  
8 fected individuals; or

9 “(B) to award such other equitable relief  
10 as may be appropriate, including employment,  
11 reinstatement, and promotion.

12 “(4) SOLICITOR OF LABOR.—The Solicitor of  
13 Labor may appear for and represent the Secretary  
14 on any litigation brought under this subsection.

15 “(5) EMPLOYER LIABILITY UNDER OTHER  
16 LAWS.—Nothing in this section shall be construed to  
17 limit the liability of an employer to an individual, for  
18 harm suffered relating to the individual’s experience  
19 of domestic or sexual violence, pursuant to any other  
20 Federal or State law, including a law providing for  
21 a legal remedy.

22 “(6) LIBRARY OF CONGRESS.—Notwithstanding  
23 any other provision of this subsection, in the case of  
24 the Library of Congress, the authority of the Sec-

1       retary under this subsection shall be exercised by the  
2       Librarian of Congress.

3               “(7) CERTAIN PUBLIC AGENCIES.—

4               “(A) AGENCIES.—Notwithstanding any  
5       other provision of this subsection, in the case of  
6       a public agency that employs individuals as de-  
7       scribed in subparagraph (A) or (B) of section  
8       3(e)(2) of the Fair Labor Standards Act of  
9       1938 (29 U.S.C. 203(e)(2)) (other than an en-  
10      tity of the legislative branch of the Federal  
11      Government), subparagraph (B) shall apply.

12              “(B) AUTHORITY.—In the case described  
13      in subparagraph (A), the powers, remedies, and  
14      procedures provided in title 5, United States  
15      Code, to an employing agency, provided in  
16      chapter 12 of that title to the Merit Systems  
17      Protection Board, or provided in that title to  
18      any person, alleging a violation of chapter 63 of  
19      that title, shall be the powers, remedies, and  
20      procedures this chapter provides to that agency,  
21      that Board, or any person, respectively, alleging  
22      a violation of subsection (f) against an employee  
23      who is such an individual.

1   **“SEC. 41703. EMERGENCY BENEFITS.**

2           “(a) IN GENERAL.—A State may use funds provided  
3 to the State under part A of title IV of the Social Security  
4 Act (42 U.S.C. 601 et seq.) to provide nonrecurrent short-  
5 term emergency benefits to an individual for any period  
6 of leave the individual takes pursuant to section 41703.

7           “(b) ELIGIBILITY.—In calculating the eligibility of an  
8 individual for such emergency benefits, the State shall  
9 count only the cash available or accessible to the indi-  
10 vidual.

11          “(c) TIMING.—

12           “(1) APPLICATIONS.—An individual seeking  
13 emergency benefits under subsection (a) from a  
14 State shall submit an application to the State.

15           “(2) BENEFITS.—The State shall provide bene-  
16 fits to an eligible applicant under paragraph (1) on  
17 an expedited basis, and not later than 7 days after  
18 the applicant submits an application under para-  
19 graph (1).

20   **“SEC. 41704. EFFECT ON OTHER LAWS AND EMPLOYMENT**  
21           **BENEFITS.**

22           “(a) MORE PROTECTIVE LAWS, AGREEMENTS, PRO-  
23 GRAMS, AND PLANS.—Nothing in this chapter shall be  
24 construed to supersede any provision of any Federal,  
25 State, or local law, collective bargaining agreement, or em-  
26 ployment benefits program or plan that provides—

1           “(1) greater leave benefits for victims of domes-  
2       tic or sexual violence than the rights established  
3       under this chapter; or

4           “(2) leave benefits for a larger population of  
5       victims of domestic or sexual violence (as defined in  
6       such law, agreement, program, or plan) than the vic-  
7       tims of domestic or sexual violence covered under  
8       this chapter.

9       “(b) LESS PROTECTIVE LAWS, AGREEMENTS, PRO-  
10   GRAMS, AND PLANS.—The rights established for victims  
11   of domestic or sexual violence under this chapter shall not  
12   be diminished by any State or local law, collective bar-  
13   gaining agreement, or employment benefits program or  
14   plan.

15   **“SEC. 41705. REGULATIONS AND NOTIFICATION.**

16       “(a) IN GENERAL.—Except as provided in sub-  
17   sections (b) and (c), the Secretary shall issue regulations  
18   to carry out this chapter. The regulations shall include  
19   regulations requiring every employer to post and keep  
20   posted, in conspicuous places on the premises of the em-  
21   ployer where notices to employees are customarily posted,  
22   a notice, to be prepared or approved by the Secretary,  
23   summarizing the provisions of this chapter and providing  
24   information on procedures for filing complaints of viola-  
25   tions. The Secretary shall develop such a notice and pro-

1 vide copies of such notice to employers upon request with-  
 2 out charge.

3 “(b) LIBRARY OF CONGRESS.—The Librarian of  
 4 Congress shall prescribe the regulations described in sub-  
 5 section (a) with respect to employees of the Library of  
 6 Congress.

7 “(c) CERTAIN PUBLIC AGENCIES.—The head of a  
 8 public agency that employs individuals as described in sub-  
 9 paragraph (A) or (B) of section 3(e)(2) of the Fair Labor  
 10 Standards Act of 1938 (29 U.S.C. 203(e)(2)) (other than  
 11 an entity of the legislative branch of the Federal Govern-  
 12 ment) shall prescribe the regulations described in sub-  
 13 section (a) with respect to those individuals.”.

14 (b) CONFORMING AMENDMENTS.—

15 (1) SOCIAL SECURITY ACT.—Section 404 of the  
 16 Social Security Act (42 U.S.C. 604) is amended by  
 17 adding at the end the following:

18 “(l) AUTHORITY TO PROVIDE EMERGENCY BENE-  
 19 FITS.—A State that receives a grant under section 403  
 20 may use the grant to provide nonrecurrent short-term  
 21 emergency benefits, in accordance with section 41705 of  
 22 the Violence Against Women Act of 1994, to individuals  
 23 who take leave pursuant to section 40404 of that Act,  
 24 without regard to whether the individuals receive assist-  
 25 ance under the State program funded under this part.”.

1           (2) REHABILITATION ACT AMENDMENTS OF  
 2           1986.—Section 1003(a)(1) of the Rehabilitation Act  
 3           Amendments of 1986 (42 U.S.C. 2000d–7(a)(1)) is  
 4           amended by inserting “chapter 1 of subtitle N of the  
 5           Violence Against Women Act of 1994,” before “or  
 6           the provisions”.

7           (c) EFFECTIVE DATE.—The amendments made by  
 8           this section take effect 180 days after the date of enact-  
 9           ment of this Act.

## 10   **TITLE VIII—PROTECTION FOR** 11       **IMMIGRANT VICTIMS OF VIO-** 12       **LENCE**

### 13   **SEC. 800. SHORT TITLE; REFERENCES TO VAWA–2000; REGU-** 14       **LATIONS.**

15           (a) SHORT TITLE.—This title may be cited as “Im-  
 16           migrant Victims of Violence Protection Act of 2005”.

17           (b) REFERENCES TO VAWA–2000.—In this title, the  
 18           term “VAWA–2000” means the Violence Against Women  
 19           Act of 2000 (division B of Public Law 106–386).

20           (c) REGULATIONS.— Not later than 180 days after  
 21           the date of the enactment of this Act, the Attorney Gen-  
 22           eral, the Secretary of Homeland Security, and Secretary  
 23           of State shall promulgate regulations to implement the  
 24           provisions contained in the Battered Immigrant Women



1 Protection Act of 2000 (title V of VAWA–2000) and the  
2 amendments made by (and the provisions of) this title.

3 **Subtitle A—Victims of Crime**

4 **SEC. 801. CONDITIONS APPLICABLE TO U AND T VISAS.**

5 (a) DURATION OF U AND T VISAS.—

6 (1) U VISAS.—Section 214(p) of such Act (8  
7 U.S.C. 1184(p)) is amended by adding at the end  
8 the following new paragraph:

9 “(6) DURATION OF STATUS.—The authorized  
10 period of status of an alien as a nonimmigrant  
11 under section 101(a)(15)(U) shall be extended on a  
12 year-by-year basis upon certification from a Federal,  
13 State or local law enforcement official, prosecutor,  
14 judge, or other Federal, State or local authority in-  
15 vestigating or prosecuting criminal activity described  
16 in section 101(a)(15)(U)(iii) that the alien’s contin-  
17 ued presence in the United States is required to as-  
18 sist in the investigation or prosecution of such crimi-  
19 nal activity.”.

20 (2) T VISAS.—Section 214(o) of such Act (8  
21 U.S.C. 1184(o)), as redesignated by section 8(a)(3)  
22 of the Trafficking Victims Protection Reauthoriza-  
23 tion Act of 2003 (Public Law 108–193), is amended  
24 by adding at the end the following:

1       “(7) The authorized period of status of an alien as  
 2 a nonimmigrant status under section 101(a)(15)(T) shall  
 3 be extended on a year-by-year basis upon certification  
 4 from a Federal, State or local law enforcement official,  
 5 prosecutor, judge, or other Federal, State or local author-  
 6 ity investigating or prosecuting criminal activity relating  
 7 to human trafficking that the alien’s continued presence  
 8 in the United States is required to assist in the investiga-  
 9 tion or prosecution of such criminal activity.”.

10       (b) PERMITTING CHANGE OF NONIMMIGRANT STA-  
 11 TUS TO U AND T NONIMMIGRANT STATUS.—

12               (1) IN GENERAL.—Section 248 of such Act (8  
 13 U.S.C. 1258) is amended—

14                       (A) by striking “The Attorney General”  
 15 and inserting “(a) The Secretary of Homeland  
 16 Security”;

17                       (B) by inserting “(subject to subsection  
 18 (b))” after “except”; and

19                       (C) by adding at the end the following new  
 20 subsection:

21       “(b) The limitation based on inadmissibility under  
 22 section 212(a)(9)(B) and the exceptions specified in num-  
 23 bered paragraphs of subsection (a) shall not apply to a  
 24 change of nonimmigrant classification to that of a non-  
 25 immigrant under subparagraph (T) or (U) of section

1 101(a)(15), other than from such classification under sub-  
 2 paragraph (C) or (D) of such section.”.

3 (2) CONFORMING AMENDMENT.—Section  
 4 214(l)(2)(A) of such Act (8 U.S.C. 1184(l)(2)(A)) is  
 5 amended by striking “248(2)” and inserting  
 6 “248(a)(2)”.

7 (c) EFFECTIVE DATE.—The amendments made by  
 8 this section shall take effect on the date of the enactment  
 9 of this Act.

## 10 **Subtitle B—VAWA Petitioners**

### 11 **SEC. 811. DEFINITION OF VAWA PETITIONER.**

12 (a) IN GENERAL.—Section 101(a) of the Immigra-  
 13 tion and Nationality Act (8 U.S.C. 1101(a)) is amended  
 14 by adding at the end the following new paragraph:

15 “(51) The term ‘VAWA petitioner’ means an alien  
 16 whose application or petition for classification or relief  
 17 under any of the following provisions (whether as a prin-  
 18 cipal or as a derivative) has been filed and has not been  
 19 denied after exhaustion of administrative appeals:

20 “(A) Clause (iii) or (iv) of section 204(a)(1)(A).

21 “(B) Clause (ii) or (iii) of section 204(a)(1)(B).

22 “(C) The first section of Public Law 89–732  
 23 (commonly known as the Cuban Adjustment Act) as  
 24 a child or spouse who has been battered or subjected  
 25 to extreme cruelty.”.

1 (b) CONFORMING AMENDMENTS.—

2 (1) Section 212(a)(6)(A)(ii)(I) of such Act (8  
3 U.S.C. 1182(a)(6)(A)(ii)(I)) is amended by striking  
4 “qualifies for immigrant status under subparagraph  
5 (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section  
6 204(a)(1)” and inserting “is a VAWA petitioner”.

7 (2) Section 212(a)(9)(C)(ii) of such Act (8  
8 U.S.C. 1182(a)(9)(C)(ii)) is amended by striking “to  
9 whom the Attorney General has granted classifica-  
10 tion under clause (iii), (iv), or (v) of section  
11 204(a)(1)(A), or classification under clause (ii), (iii),  
12 or (iv) of section 204(a)(1)(B)” and inserting “is a  
13 VAWA petitioner”.

14 (3) Subsections (h)(1)(C) and (g)(1)(C) of sec-  
15 tion 212 (8 U.S.C. 1182) is amended by striking  
16 “qualifies for classification under clause (iii) or (iv)  
17 of section 204(a)(1)(A) or classification under clause  
18 (ii) or (iii) of section 204(a)(1)(B)” and inserting  
19 “is a VAWA petitioner”.

20 (4) Section 212(i)(1) of such Act (8 U.S.C.  
21 1182(i)(1)) is amended by striking “an alien granted  
22 classification under clause (iii) or (iv) of section  
23 201(a)(1)(A) or clause (ii) or (iii) of section  
24 204(a)(1)(B)” and inserting “a VAWA petitioner”.

1           (5) Section 237(a)(1)(H)(ii) of such Act (8  
2       U.S.C. 1227(a)(1)(H)(ii)) is amended by striking “is  
3       an alien who qualifies for classification under clause  
4       (iii) or (iv) of section 204(a)(1)(A) or clause (ii) or  
5       (iii) of section 204(a)(1)(B)” and inserting “is a  
6       VAWA petitioner”.

7           (6) Section 240A(b)(4)(B) of such Act (8  
8       U.S.C. 1229b(b)(4)(B)) is amended by striking  
9       “they were applications filed under section 204(a)(1)  
10      (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of such Act” and  
11      inserting “the applicants were VAWA petitioners”.

12          (7) Section 245(a) of such Act (8 U.S.C.  
13      1255(a)) is amended by striking “under subpara-  
14      graph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section  
15      204(a)(1) or” and inserting “as a VAWA peti-  
16      tioner”.

17          (8) Section 245(c) of such Act (8 U.S.C.  
18      1255(c)) is amended by striking “under subpara-  
19      graph (A)(iii), (A)(iv), (A)(v), (A)(vi), (B)(ii),  
20      (B)(iii), or (B)(iv) of section 204(a)(1)” and insert-  
21      ing “as a VAWA petitioner”.

22          (9) For additional conforming amendment to  
23      section 240(c)(6)(C)(iv)(I) of the Immigration and  
24      Nationality Act, see section 814(a) of this Act.

1 **SEC. 812. SELF-PETITIONING FOR CHILDREN.**

2 (a) SELF-PETITIONING BY CHILDREN OF PARENT-  
3 ABUSERS UPON DEATH OR OTHER TERMINATION OF  
4 PARENT-CHILD RELATIONSHIP.—

5 (1) CITIZEN PARENTS.—Section  
6 204(a)(1)(A)(iv) of the Immigration and Nationality  
7 Act (8 U.S.C. 1154(a)(1)(A)(iv)) is amended—

8 (A) by striking “or who” and inserting  
9 “who”; and

10 (B) by inserting after “domestic violence,”  
11 the following: “or who was a child of a United  
12 States citizen parent who within the past 2  
13 years (or, if later, two years after the date the  
14 child attains 18 years of age) died or otherwise  
15 terminated the parent-child relationship,”.

16 (2) LAWFUL PERMANENT RESIDENT PAR-  
17 ENTS.—

18 (A) IN GENERAL.—Section  
19 204(a)(1)(B)(iii) of such Act (8 U.S.C.  
20 1154(a)(1)(B)(iii)) is amended—

21 (i) by striking “or who” and inserting  
22 “who”; and

23 (ii) by inserting after “domestic vio-  
24 lence,” the following: “or who was a child  
25 of a lawful permanent resident  
26 who within the past 2 years (or, if later,

1 two years after the date the child attains  
 2 18 years of age) died or otherwise termi-  
 3 nated the parent-child relationship,”.

4 (B) CONFORMING TREATMENT OF DE-  
 5 CEASED SPOUSES.—Section  
 6 204(a)(1)(B)(ii)(II)(aa)(CC) of such Act (8  
 7 U.S.C. 1154(a)(1)(B)(ii)(II)(aa)(CC)) is  
 8 amended—

9 (i) by redesignating subitems (aaa)  
 10 and (bbb) as subitems (bbb) and (ccc), re-  
 11 spectively; and

12 (ii) by inserting before subitem (bbb),  
 13 as so redesignated, the following:

14 “(aaa) whose spouse died within the past  
 15 2 years;”.

16 (3) EFFECTIVE DATES.—

17 (A) IN GENERAL.—Subject to subpara-  
 18 graph (B), the amendment made by paragraphs  
 19 (1) and (2) shall take effect on the date of the  
 20 enactment of this Act.

21 (B) TRANSITION IN CASE OF CITIZEN PAR-  
 22 ENTS WHO DIED BEFORE ENACTMENT.—In ap-  
 23 plying the amendments made by paragraphs (1)  
 24 and (2)(A) in the case of an alien whose citizen  
 25 parent or lawful permanent resident parent died

1 or whose parent-child relationship with such  
2 parent terminated during the period beginning  
3 on October 28, 1998, and ending on the date  
4 of the enactment of this Act, the following rules  
5 apply:

6 (i) The reference to “within the past  
7 2 years” in section 204(a)(1)(A)(iv) or  
8 204(a)(1)(B)(iii), respectively, of the Im-  
9 migration and Nationality Act in the mat-  
10 ter inserted by such paragraph is deemed  
11 to be a reference to such period.

12 (ii) The petition must be filed under  
13 such section within 2 years after the date  
14 of the enactment of this Act (or, if later,  
15 2 years after the alien’s 18th birthday).

16 (iii) The determination of eligibility  
17 for benefits as a child under such section  
18 (including under section 204(a)(1)(D) of  
19 the Immigration and Nationality Act by  
20 reason of a petition authorized under such  
21 section) shall be determined as of the date  
22 of the death of the citizen parent or lawful  
23 permanent resident parent or the termi-  
24 nation of the parent-child relationship.



1 (b) PROTECTING VICTIMS OF CHILD ABUSE FROM  
2 AGING OUT.—

3 (1) CLARIFICATION REGARDING CONTINUATION  
4 OF IMMEDIATE RELATIVE STATUS FOR CHILDREN OF  
5 CITIZENS.—Section 204(a)(1)(D)(i)(I) of the Immi-  
6 gration and Nationality Act (8 U.S.C.  
7 1154(a)(1)(D)(i)(I)) is amended—

8 (A) by striking “clause (iv) of section  
9 204(a)(1)(A)” and inserting “subparagraph  
10 (A)(iv)”; and

11 (B) by striking “a petitioner for preference  
12 status under paragraph (1), (2), or (3) of sec-  
13 tion 203(a), whichever paragraph is applicable”  
14 and inserting “to continue to be treated as an  
15 immediate relative under section  
16 101(b)(2)(A)(i), or a petitioner for preference  
17 status under section 203(a)(3) if subsequently  
18 married,”.

19 (2) CLARIFICATION REGARDING APPLICATION  
20 TO CHILDREN OF LAWFUL PERMANENT RESI-  
21 DENTS.—Section 204(a)(1)(D)(i)(I) of such Act (8  
22 U.S.C. 1154(a)(1)(D)(i)(I)) is amended —

23 (A) by inserting after the first sentence the  
24 following new sentence: “Any child who attains  
25 21 years of age who has filed a petition under

1           subparagraph (B)(iii) that was filed or ap-  
2           proved before the date on which the child at-  
3           tained 21 year of age shall be considered (if the  
4           child has not been admitted or approved for  
5           lawful permanent residence by the date the  
6           child attained 21 years of age) a petitioner for  
7           preference status under section 203(a)(2), with  
8           the same priority date assigned to the self-peti-  
9           tion filed under such subparagraph.”; and

10           (B) in the last sentence, by inserting “in  
11           either such case” after “shall be required to be  
12           filed”.

13           (3) CLARIFICATION OF TREATMENT OF DERIVA-  
14           TIVE CHILDREN.—Section 204(a)(1)(D) of such Act  
15           is further amended by striking subclauses (III) and  
16           (IV) of clause (i) and by striking clause (ii) and in-  
17           serting the following:

18           “(ii) Subclauses (I) and (II) of clause (i) also shall  
19           apply to a derivative child under subparagraph (A)(iii) or  
20           (A)(iv), or under subparagraph (B)(ii) or (B)(iii), who at-  
21           tains 21 years of age in the same manner as such sub-  
22           clauses apply to a principal petitioner under subparagraph  
23           (A)(iv), or subparagraph (B)(iii), respectively.”.

24           (4) CLARIFICATION REGARDING APPLICATION  
25           OF CSPA PROTECTIONS TO CHILDREN OF CITI-

1       ZENS.—Section 201(f) of such Act (8 U.S.C.  
2       1151(f)) is amended by adding at the end the fol-  
3       lowing new paragraph:

4               “(4) APPLICATION TO CERTAIN VAWA PETI-  
5       TIONERS.—Paragraphs (1) through (3) apply to a  
6       petitioner described in clause (iii) or (iv) of section  
7       204(a)(1)(A). ”.

8               (5) EFFECTIVE DATE.—The amendments made  
9       by this subsection shall apply to applications filed  
10      before, on, or after the date of the enactment of  
11      VAWA–2000, except that the amendment made by  
12      paragraph (4) shall apply as if included in the enact-  
13      ment of the Child Status Protection Act (Public Law  
14      107–208).

15      (c) CLARIFICATION OF NO SEPARATE ADJUSTMENT  
16      APPLICATION FOR DERIVATIVE CHILDREN.—

17              (1) IN GENERAL.—Section 204(a)(1)(A) of the  
18      Immigration and Nationality Act (8 U.S.C.  
19      1154(a)(1)(A)) is amended by adding at the end the  
20      following new clause:

21              “(vii) In the case of a petition under clause (ii), (iii),  
22      or (iv) that includes an individual as a derivative child of  
23      a principal alien, no adjustment application other than the  
24      adjustment application of the principal alien shall be re-

1 quired for adjustment of status of the individual under  
2 subsection (a) or (c) of section 245.”.

3 (2) EFFECTIVE DATE.—The amendment made  
4 by paragraph (1) shall take effect on the date of the  
5 enactment of this Act and shall apply to applications  
6 filed before, on, or after such date.

7 **SEC. 813. ACCESS TO VAWA PROTECTION FOR CHILDREN**  
8 **OF ASYLUM APPLICANTS UNDER ADJUST-**  
9 **MENT PROVISIONS.**

10 (a) IN GENERAL.—Section 209(b)(3) of the Immi-  
11 gration and Nationality Act (8 U.S.C. 1159(b)(3)) is  
12 amended—

13 (1) by inserting “(A)” after “(3)”; and

14 (2) by adding at the end the following:

15 “(B) was the spouse of a refugee within the  
16 meaning of section 101(a)(42)(A) at the time the  
17 asylum application was granted and who was bat-  
18 tered or was the subject of extreme cruelty per-  
19 petrated by such refugee or whose child was battered  
20 or subjected to extreme cruelty by such refugee  
21 (without the active participation of such spouse in  
22 the battery or cruelty), or

23 “(C) was the child of a refugee within the  
24 meaning of section 101(a)(42)(A) at the time of the  
25 filing of the asylum application and who was bat-

1       tered or was the subject of extreme cruelty per-  
2       petrated by such refugee.”.

3       (b) EFFECTIVE DATE.—The amendments made by  
4 subsection (a) shall take effect on the date of the enact-  
5 ment of this Act and—

6           (1) section 209(b)(3)(B) of the Immigration  
7       and Nationality Act, as added by subsection (a)(2),  
8       shall apply to asylum applications granted before,  
9       on, or after such date; and

10          (2) section 209(b)(3)(C) of such Act, as so  
11       added, shall apply with respect to asylum applica-  
12       tions filed before, on, or after such date.

13 **SEC. 814. ELIMINATING ABUSERS’ CONTROL OVER APPLI-**  
14 **CATIONS FOR ADJUSTMENTS OF STATUS.**

15       (a) APPLICATION OF MOTIONS TO REOPEN FOR ALL  
16 VAWA PETITIONERS.—Section 240(c)(6)(C)(iv) of the  
17 Immigration and Nationality Act (8 U.S.C.  
18 1230(c)(6)(C)(iv)) is amended —

19           (1) in subclause (I), by striking “under clause  
20       (iii) or (iv) of section 204(a)(1)(A), clause (ii) or  
21       (iii) of section 204(a)(1)(B)” and inserting “as a  
22       VAWA petitioner”; and

23           (2) in subclause (II), by inserting “or adjust-  
24       ment of status” after “cancellation of removal”.

1       (b) PETITIONING RIGHTS OF CERTAIN FORMER  
2 SPOUSES UNDER CUBAN ADJUSTMENT.—

3           (1) IN GENERAL.—The first section of Public  
4 Law 89–732 (8 U.S.C. 1255 note) is amended—

5           (A) in the last sentence, by striking  
6 “204(a)(1)(H)” and inserting “204(a)(1)(J)”;  
7 and

8           (B) by adding at the end the following:  
9 “An alien who was the spouse of any Cuban  
10 alien described in this section and has resided  
11 with such spouse shall continue to be treated as  
12 such a spouse for 2 years after the date on  
13 which the Cuban alien dies (or, if later, 2 years  
14 after the date of enactment of Violence Against  
15 Women Act of 2005), or for 2 years after the  
16 date of termination of the marriage (or, if later,  
17 2 years after the date of enactment of Violence  
18 Against Women Act of 2005) if the alien dem-  
19 onstrates a connection between the termination  
20 of the marriage and the battering or extreme  
21 cruelty by the Cuban alien.”.

22           (2) EFFECTIVE DATE.—The amendment made  
23 by paragraph (1)(A) shall take effect as if included  
24 in the enactment of VAWA–2000.

1       (c) EFFECTIVE DATE.—Except as otherwise provided  
2 in this section, the amendments made by this section shall  
3 take effect on the date of the enactment of this Act.

4       **SEC. 815. CLARIFICATION OF ACCESS TO NATURALIZATION**  
5                               **FOR VICTIMS OF DOMESTIC VIOLENCE.**

6       (a) IN GENERAL.—Section 319(a) of the Immigra-  
7 tion and Nationality Act (8 U.S.C. 1430(a)) is amended  
8 by inserting after “extreme cruelty by a United States cit-  
9 izen spouse or parent” the following: “, regardless of  
10 whether the lawful permanent resident status was ob-  
11 tained on the basis of such battery or cruelty”.

12       (b) EFFECTIVE DATE.—The amendment made by  
13 subsection (a) shall take effect on the date of the enact-  
14 ment of this Act and shall apply to applications for natu-  
15 ralization filed before, on, or after the date of the enact-  
16 ment of this Act.

17       **SEC. 816. PROHIBITION OF ADVERSE DETERMINATIONS OF**  
18                               **ADMISSIBILITY OR DEPORTABILITY BASED**  
19                               **ON PROTECTED INFORMATION.**

20       (a) APPLICATION TO ADDITIONAL DEPARTMENTS  
21 AND OTHER BATTERED ALIENS.—Section 384 of the Ille-  
22 gal Immigration Reform and Immigrant Responsibility  
23 Act of 1996 (division C of Public Law 104–208; 8 U.S.C.  
24 1367) is amended—

1           (1) in subsection (a), as amended by section  
2       1513(d) of VAWA–2000—

3           (A) in the matter before paragraph (1), by  
4       striking “(including any bureau or agency of  
5       such Department)” and inserting “, or the Sec-  
6       retary of Homeland Security, the Secretary of  
7       State, the Secretary of Health and Human  
8       Services, or the Secretary of Labor or any other  
9       official or employee of the Department of  
10      Homeland Security, the Department of State,  
11      the Department of Health and Human Services,  
12      or the Department of Labor (including any bu-  
13      reau or agency of any such Department)’”;

14          (B) in paragraph (1)—

15           (i) in the matter before subparagraph  
16          (A), by striking “furnished solely by” and  
17          inserting “furnished by or derived from in-  
18          formation provided solely by”;

19           (ii) by striking “or” at the end of sub-  
20          paragraph (D);

21           (iii) by adding “or” at the end of sub-  
22          paragraph (E);

23           (iv) by inserting after subparagraph  
24          (E) the following new subparagraph:



1 “(F) in the case of an alien applying for  
2 continued presence as a victim of trafficking  
3 under section 107(b)(1)(E)(i)(II)(bb) of the  
4 Trafficking Protection Act of 2000 or status  
5 under section 101(a)(15)(T) of the Immigration  
6 and Nationality Act, the trafficker or perpe-  
7 trator,”; and

8 (v) by striking “or” at the end;

9 (C) in paragraph (2)—

10 (i) by striking “of the Department,”  
11 and inserting “of any such Department,”;

12 (ii) by striking “under clause (iii) or  
13 (iv) of section 204(a)(1)(A), clause (ii) or  
14 (iii) of section 204(a)(1)(B)” and inserting  
15 “as a VAWA petitioner (as defined in sec-  
16 tion 101(a)(51) of the Immigration and  
17 Nationality Act), or under”; and

18 (iii) by striking “or section  
19 240A(a)(3) of such Act as an alien (or the  
20 part of a child) who has been battered or  
21 subjected to extreme cruelty.” and insert-  
22 ing the following: “, section 101(a)(15)(T),  
23 or section 240A(b)(2) of such Act, or sec-  
24 tion 244(a)(3) of such Act (as in effect on  
25 March 31, 1997), or for continued pres-

1           ence as a victim of trafficking under sec-  
2           tion 107(b)(1)(E)(i)(II)(bb) of the Traf-  
3           ficking Protection Act of 2000, or any de-  
4           rivative of the alien;” and

5                   (iv) by striking the period at the end  
6           and inserting “; or”; and

7           (D) by inserting after paragraph (2) the  
8           following new paragraph:

9           “(3) in the case of an alien described in section  
10          101(a)(27)(J) of the Immigration and Nationality  
11          Act who has been abused, neglected, or abandoned,  
12          contact the alleged abuser (or family member of the  
13          alleged abuser) at any stage of applying for special  
14          immigrant juvenile status, including after a request  
15          for the consent of the Secretary of Homeland Secu-  
16          rity under clause (iii)(I) of such section.”; and

17          (2) in subsection (b)—

18               (A) in paragraphs (1), by striking “may  
19               provide, in the Attorney General’s discretion”  
20               and inserting “, Secretary of Homeland Secu-  
21               rity, Secretary of State, Secretary of Health  
22               and Human Services, and Secretary of Labor  
23               may provide”;

24               (B) in paragraph (2), by striking “may  
25               provide in the discretion of the Attorney Gen-

1           eral” and inserting “, Secretary of Homeland  
2           Security, Secretary of State, Secretary of  
3           Health and Human Services, and the Secretary  
4           of Labor may provide”; and

5           (C) in paragraph (5), by striking “is au-  
6           thorized to disclose” and inserting “, Secretary  
7           of Homeland Security, Secretary of State, Sec-  
8           retary of Health and Human Services, and Sec-  
9           retary of Labor, or Attorney General may dis-  
10          close”.

11       (b) EFFECTIVE DATE.—The amendments made by  
12 subsection (a) shall take effect on the date of the enact-  
13 ment of this Act and shall apply to violations or disclo-  
14 sures made on or after such date.

## 15           **Subtitle C—Miscellaneous** 16           **Provisions**

### 17   **SEC. 831. REMOVING 2 YEAR CUSTODY REQUIREMENT FOR** 18           **BATTERED ADOPTED CHILDREN.**

19       (a) IN GENERAL.—Section 101(b)(1)(E)(i) of the  
20 Immigration and Nationality Act (8 U.S.C.  
21 1101(b)(1)(E)(i)) is amended by inserting after “at least  
22 two years” the following: “or if the child has been battered  
23 or subject to extreme cruelty by the adopting parent or  
24 by a family member of the adopting parent residing in  
25 the same household”.

1 (b) CONFORMING NATURALIZATION AMENDMENT.—  
2 Section 320(a)(3) of such Act (8 U.S.C. 1431(a)(3)) is  
3 amended by inserting before the period at the end the fol-  
4 lowing: “or the child is residing in the United States pur-  
5 suant to a lawful admission for permanent residence and  
6 has been battered or subject to extreme cruelty by the cit-  
7 izen parent or by a family member of the citizen parent  
8 residing in the same household ”

9 (c) EFFECTIVE DATE.—The amendments made by  
10 this section shall take effect on the date of the enactment  
11 of this Act and shall apply to applications pending or filed  
12 on or after such date.

13 **SEC. 832. GROUNDS FOR HARDSHIP WAIVER FOR CONDI-**  
14 **TIONAL PERMANENT RESIDENCE FOR IN-**  
15 **TENDED SPOUSES.**

16 (a) IN GENERAL.—Section 216(c)(4) of the Immigra-  
17 tion and Nationality Act (8 U.S.C. 1186a(c)(4)) is amend-  
18 ed—

19 (1) by striking “or” at the end of subparagraph  
20 (B);

21 (2) by striking the period at the end of sub-  
22 paragraph (C) and inserting “, or”; and

23 (3) by inserting after subparagraph (C) the fol-  
24 lowing new subparagraph:

1           “(D) the alien meets the requirements  
2           under section 204(a)(1)(A)(iii)(II)(aa)(BB) and  
3           following the marriage ceremony has been bat-  
4           tered by or was subject to extreme cruelty per-  
5           petrated by his or her intended spouse and was  
6           not at fault in failing to meet the requirements  
7           of paragraph (1).”.

8           (b) **EFFECTIVE DATE.**—The amendments made by  
9           subsection (a) shall apply as if included in the enactment  
10          of VAWA–2000.

11       **SEC. 833. MOTIONS TO REOPEN.**

12           (a) **REMOVAL PROCEEDINGS.**—

13               (1) **IN GENERAL.**—Section 240(c)(6) of the Im-  
14           migration and Nationality Act (8 U.S.C. 1230(c)(6))  
15           is amended—

16                (A) in subparagraph (A), by inserting “,  
17           except that this limitation shall not apply so as  
18           to prevent the filing of one motion to reopen de-  
19           scribed in clause (iv)” before the period at the  
20           end;

21                (B) in subparagraph (C)(iv), in the matter  
22           before subclause (I), by striking “The deadline  
23           specified in subsection (b)(5)(C) for filing a mo-  
24           tion to reopen does not apply” and inserting  
25           “Any limitation under this section on the dead-

1 lines for filing such motions shall not apply”;  
2 and

3 (C) in subparagraph (C)(iv), by adding  
4 after and below subclause (III) the following  
5 new sentence:

6 “The filing of a motion to reopen under  
7 this clause shall stay the removal of the  
8 alien pending final disposition of the mo-  
9 tion including exhaustion of all appeals if  
10 the motion establishes a prima facie case  
11 for the relief applied for.”.

12 (2) EFFECTIVE DATE.—The amendments made  
13 by paragraph (1) shall take effect on the date of the  
14 enactment of this Act.

15 (b) DEPORTATION PROCEEDINGS.—

16 (1) IN GENERAL.—Section 1506(c)(2)(A) of  
17 VAWA–2000 is amended—

18 (A) in the matter before clause (i), by  
19 striking “Notwithstanding any limitation im-  
20 posed by law on motions” inserting “Notwith-  
21 standing any limitation on the number of mo-  
22 tions, or the deadlines for filing motions (in-  
23 cluding the deadline specified in section  
24 242B(c)(3) of the Immigration and Nationality  
25 Act before the title III–A effective date),”;

(B) in the matter before clause (i), by striking “there is no time limit on the filing of a motion” and all that follows through “does not apply” and inserting “such limitations shall not apply to the filing of a single motion under this subparagraph to reopen such proceedings”; and

(C) by adding at the end the following:

“The filing of a motion under this subparagraph shall stay the removal of the alien pending a final disposition of the motion including the exhaustion of all appeals if the motion establishes a prima facie case for the relief applied for.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date of the enactment of this Act .

**SEC. 834. TREATMENT OF BATTERY OR EXTREME CRUELTY  
AS EXCEPTIONAL CIRCUMSTANCES FOR FAILURE  
TO APPEAR AT REMOVAL PROCEEDINGS.**

(a) IN GENERAL.—Section 240(e)(1) of such Act (8 U.S.C. 1230(e)(1)) is amended by inserting “battery or extreme cruelty of the alien or any child or parent of the alien or” after “exceptional circumstances (such as”.

1 (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) shall take effect on the date of the enact-  
3 ment of this Act and shall apply to a failure to appear  
4 that occurs before, on, or after such date.

5 **TITLE IX—SAFETY FOR INDIAN**  
6 **WOMEN**

7 **SEC. 901. PURPOSES.**

8 The purposes of this title are—

9 (1) to decrease the incidence of violent crimes  
10 against Indian women;

11 (2) to strengthen the capacity of Indian tribes  
12 to exercise their sovereign authority to respond to  
13 violent crimes committed against Indian women  
14 under their jurisdiction; and

15 (3) to ensure that perpetrators of violent crimes  
16 committed against Indian women are held account-  
17 able for their criminal behavior.

18 **SEC. 902. CONSULTATION.**

19 (a) IN GENERAL.—The Secretary of the Interior and  
20 the Attorney General shall each conduct annual consulta-  
21 tions with Indian tribal governments concerning the Fed-  
22 eral administration of tribal funds and programs estab-  
23 lished under the Violence Against Women Act of 1994  
24 (title IV of Public Law 103–322; 108 Stat. 1902) and the  
25 Violence Against Women Act of 2000 (division B of Public



1 Law 106–386; 114 Stat. 1491), including consultation  
2 concerning—

3 (1) the timeliness of the Federal grant applica-  
4 tion and award processes;

5 (2) the amounts awarded under each program  
6 directly to tribal governments, tribal organizations,  
7 and tribal nonprofit organizations;

8 (3) determinations not to award grant funds;

9 (4) grant awards made in violation of the eligi-  
10 bility guidelines to a nontribal entity; and

11 (5) technical assistance grants for tribal grant  
12 programs or programs addressing the safety of In-  
13 dian women.

14 (b) RECOMMENDATIONS.—During consultations  
15 under subsection (a), the Secretary and the Attorney Gen-  
16 eral shall solicit recommendations from Indian tribes con-  
17 cerning—

18 (1) administering tribal funds and programs;

19 (2) enhancing the safety of Indian women from  
20 domestic violence, dating violence, sexual assault,  
21 and stalking; and

22 (3) strengthening the Federal response to such  
23 violent crimes.

1 **SEC. 903. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST**  
2 **INDIAN WOMEN.**

3 (a) NATIONAL BASELINE STUDY.—

4 (1) IN GENERAL.—The Attorney General, act-  
5 ing through the Director of the Office on Violence  
6 Against Women, shall conduct a national baseline  
7 study to examine violence against Indian women.

8 (2) SCOPE.—

9 (A) IN GENERAL.—The study shall exam-  
10 ine violence committed against Indian women,  
11 including—

- 12 (i) domestic violence;
- 13 (ii) dating violence;
- 14 (iii) sexual assault;
- 15 (iv) stalking; and
- 16 (v) murder.

17 (B) EVALUATION.—The study shall evalu-  
18 ate the effectiveness of Federal, State, tribal,  
19 and local responses to the violations described  
20 in subparagraph (A) committed against Indian  
21 women.

22 (3) TASK FORCE.—

23 (A) IN GENERAL.—The Attorney General,  
24 acting through the Director of the Office on Vi-  
25 olence Against Women, shall establish a task

1 force to assist in the development and imple-  
2 mentation of the study under paragraph (1).

3 (B) MEMBERS.—The Director shall ap-  
4 point to the task force representatives from—

5 (i) national tribal domestic violence  
6 and sexual assault nonprofit organizations;

7 (ii) tribal governments; and

8 (iii) the National Congress of Amer-  
9 ican Indians.

10 (4) REPORT.—Not later than 2 years after the  
11 date of enactment of this Act, the Attorney General  
12 shall submit to the Committee on Indian Affairs of  
13 the Senate, the Committee on the Judiciary of the  
14 Senate, and the Committee on the Judiciary of the  
15 House of Representatives a report that describes the  
16 findings made in the study.

17 (5) AUTHORIZATION OF APPROPRIATIONS.—  
18 There is authorized to be appropriated to carry out  
19 this section \$1,000,000 for each of fiscal years 2006  
20 and 2007, to remain available until expended.

21 (b) INJURY STUDY.—

22 (1) IN GENERAL.—The Secretary of Health and  
23 Human Services, acting through the Indian Health  
24 Service and the Injury Control Division of the Cen-

1       ters for Disease Control and Prevention, shall con-  
2       duct a study to obtain a national projection of—

3               (A) the incidence of injuries and homicides  
4               resulting from domestic violence, dating vio-  
5               lence, sexual assault, or stalking committed  
6               against American Indian and Alaska Native  
7               women; and

8               (B) the cost of providing health care for  
9               the injuries described in subparagraph (A).

10       (2) REPORT.—Not later than 2 years after the  
11       date of enactment of this Act, the Secretary of  
12       Health and Human Services shall submit to the  
13       Committee on Indian Affairs of the Senate, the  
14       Committee on the Judiciary of the Senate, and the  
15       Committee on the Judiciary of the House of Rep-  
16       resentatives a report that describes the findings  
17       made in the study and recommends health care  
18       strategies for reducing the incidence and cost of the  
19       injuries described in paragraph (1).

20       (3) AUTHORIZATION OF APPROPRIATIONS.—

21       There is authorized to be appropriated to carry out  
22       this section \$500,000 for each of fiscal years 2006  
23       and 2007, to remain available until expended.

1 **SEC. 904. TRACKING OF VIOLENCE AGAINST INDIAN**  
2 **WOMEN.**

3 (a) ACCESS TO FEDERAL CRIMINAL INFORMATION  
4 DATABASES.—Section 534 of title 28, United States Code,  
5 is amended—

6 (1) by redesignating subsection (d) as sub-  
7 section (e); and

8 (2) by inserting after subsection (c) the fol-  
9 lowing:

10 “(d) INDIAN LAW ENFORCEMENT AGENCIES.—The  
11 Attorney General shall permit Indian law enforcement  
12 agencies, in cases of domestic violence, dating violence,  
13 sexual assault, and stalking, to enter information into  
14 Federal criminal information databases and to obtain in-  
15 formation from the databases, including information relat-  
16 ing to—

17 “(1) identification records;

18 “(2) criminal history records;

19 “(3) protection orders; and

20 “(4) wanted person records.”.

21 (b) TRIBAL REGISTRY.—

22 (1) ESTABLISHMENT.—The Attorney General  
23 shall contract with any interested Indian tribe, tribal  
24 organization, or tribal nonprofit organization to de-  
25 velop and maintain—

1 (A) a national tribal sex offender registry;  
 2 and

3 (B) a tribal protection order registry con-  
 4 taining civil and criminal orders of protection  
 5 issued by Indian tribes and participating juris-  
 6 dictions.

7 (2) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated to carry out  
 9 this section \$1,000,000 for each of fiscal years 2006  
 10 through 2010, to remain available until expended.

11 **SEC. 905. TRIBAL DIVISION OF THE OFFICE ON VIOLENCE**  
 12 **AGAINST WOMEN.**

13 Part T of title I of the Omnibus Crime Control and  
 14 Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is  
 15 amended by adding at the end the following:

16 **“SEC. 2007. TRIBAL DIVISION.**

17 “(a) IN GENERAL.—The Director of the Office on Vi-  
 18 olence Against Women shall designate one or more em-  
 19 ployees to be responsible for—

20 “(1) overseeing and managing the administra-  
 21 tion of grants to and contracts with Indian tribes,  
 22 tribal courts, tribal organizations, tribal nonprofit  
 23 organizations and the territories;

24 “(2) ensuring that, if a grant under the Act or  
 25 a contract pursuant to such a grant is made to an

1 organization to perform services that benefit more  
2 than one Indian tribe, the approval of each Indian  
3 tribe to be benefited shall be a prerequisite to the  
4 making of the grant or letting of the contract;

5 “(3) assisting in the development of Federal  
6 policy, protocols, and guidelines on matters relating  
7 to violence against Indian women;

8 “(4) advising the Director of the Office on Vio-  
9 lence Against Women concerning policies, legislation,  
10 implementation of laws, and other issues relating to  
11 violence against Indian women;

12 “(5) representing the Office on Violence  
13 Against Women in the annual consultations under  
14 section 905;

15 “(6) providing assistance to the Department of  
16 Justice to develop policy and to enforce Federal law  
17 relating to violence against Indian women;

18 “(7) maintaining a liaison with the judicial  
19 branches of Federal, State and tribal governments  
20 on matters relating to violence against Indian  
21 women; and

22 “(8) ensuring that adequate tribal technical as-  
23 sistance is made available to Indian tribes, tribal  
24 courts, tribal organizations, and tribal nonprofit or-

ganizations for all programs relating to violence against Indian women.

“(b) AUTHORITY.—

“(1) IN GENERAL.—The Director shall ensure that a portion of the tribal set-aside funds from any grant awarded under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902) or the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491) is used to enhance the capacity of Indian tribes to address the safety of Indian women.

“(2) ACCOUNTABILITY.—The Director shall ensure that some portion of the tribal set-aside funds from any grant made under this part is used to hold offenders accountable through—

“(A) enhancement to the response of Indian tribes to crimes of domestic violence, dating violence, sexual assault, and stalking against Indian women, including legal services for victims and Indian-specific offender programs;

“(B) development and maintenance of tribal domestic violence shelters or programs for battered Indian women, including sexual assault



1 services, that are based upon the unique cir-  
2 cumstances of the Indian women to be served;

3 “(C) development of tribal educational  
4 awareness programs and materials;

5 “(D) support for customary tribal activities  
6 to strengthen the intolerance of an Indian tribe  
7 to violence against Indian women; and

8 “(E) development, implementation, and  
9 maintenance of tribal electronic databases for  
10 tribal protection order registries.”.

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